

State Update

January 14, 2026



Today's Agenda

Time	Topic	Learning Topic Codes	Total CE Hours
8:00	Registration, Check In, Welcome & Staff Introductions		
8:30	LDAF Commodity Update	1170	0.5
9:00	At Risk Supper Program	3000	0.5
9:30	SSO/SFSP Overview	3000	0.5
10:00	Procurement Overview (Formal, Small, Micropurchase, Buy American)	2400	2
12:00	LUNCH		
12:30	Eat Real (Virtual)	1100	0.5
1:00	Share Tables, Team Nutrition & LA Fit Kids Website	3430	1
2:00	School Wellness Policies & School Health Advisory Councils	4100	1
	Total Continuing Education (CE) Hours:		6



LDAF Update

Mack Williams



USDA
COMMODITIES
PAL
SFSP
FSMC



- ▶ Mack Williams 225-922-1313 mwilliams@ldaf.state.la.us
- ▶ David Ratner 225-922-1329 dratner@ldaf.state.la.us
- ▶ Angel Covington 225-922-1319 acovington@ldaf.state.la.us
- ▶ Douglas McKean 225-952-8144 dmckean@ldaf.state.la.us
- ▶ Stephanie Weaver 318-345-7595 sweaver@ldaf.state.la.us
- ▶ Eleanora Manaseri 985-542-3642 emanaseri@ldaf.state.la.us

FOOD DISTRIBUTION CONTACT INFORMATION

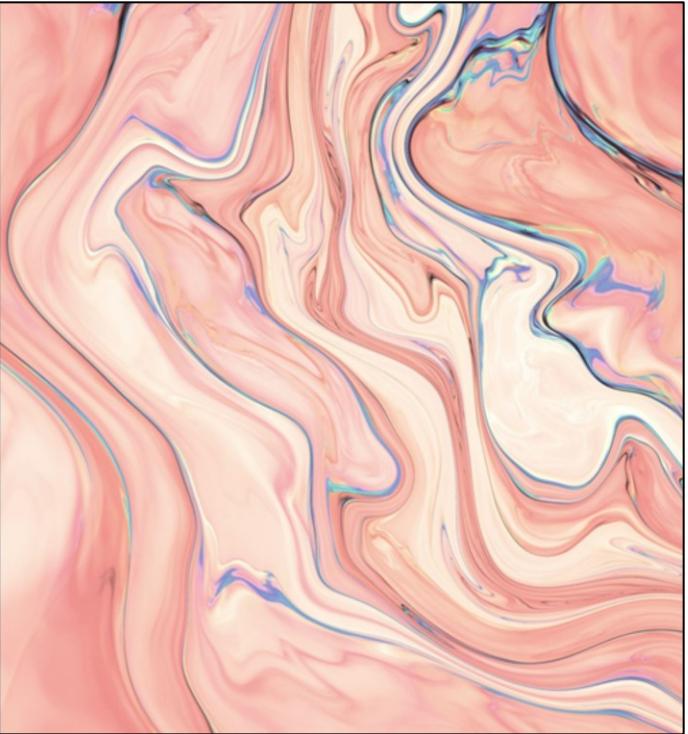
- ▶ Food Distribution has now entered the 21st Century with emailed Order Acknowledgements!
- ▶ A few reminders:
- ▶ We can only send invoices to 2 email addresses per school district.
- ▶ The sender will be dratner@ldaf.state.la.us please make sure his email is added to the approved list with your IT department.

EMAIL ORDER ACKNOWLEDGEMENTS

- ▶ FFAVORS is contracted with Robinson Produce & subcontracted with Capital City
- ▶ To add funds or change users- contact Angel Covington at acovington@ldaf.state.la.us
- ▶ Log in issues- contact the FFAVORS helpdesk at (844) 875-6446
- ▶ Deliveries must be received in FFAVORS within 2 business days of delivery. If these go more than 2 days, you will receive an email reminding you to do so. This is not an invoice. You will need to log on to FFAVORS and receipt the shipment so the vendor can be paid.

DOD FFAVORS

PAL PACKET



Attachment 2

SCH000
RB
SW

PAL SUMMARY COMMODITY ORDER FORM 2026-2027

YOUR SCHOOL DISTRICT

PAL \$0.00

1. Department of Defense (must be at least \$400.00) Fresh Produce Program
2. Group B Tentative Order
3. Commodities Diverted for Processing
4. Section 32 Order Form
5. Section 32 Order Form MONTHLY Delivery Commodities Requested
6. Total Value of Commodities Requested

Date

Signature of Authorized Representative

DU~~E~~ DATE: FEBRUARY 27, 2026

PLEASE EMAIL COMPLETED FORMS TO ACOVINGTON@LDAF.STATE.LA.US

PAL PACKET ENTITLEMENT PAGE

that the quantities ordered may be subject to change due to limitations of quantities made available by USDA, availability of funds and the discretion of the Department of Agriculture and Contractor.
Tentative21-22 Protected Sec 32 Monthly Request 21-22 P Div 21-22 Protected Sec 32 21-22 Protected +

TO ACCESS ALL ORDERING FORMS
SHOWN NEXT PLEASE USE THE TABS AT THE
BOTTOM OF THE EXCEL DOCUMENT

PAL PACKET ORDER FORM PAGE 1

ATTACHMENT 4 SCH-TO										FOR OFFICE USE					
FOOD DISTRIBUTION LA DEPARTMENT OF AGRICULTURE AND FORESTRY 5825 FLORIDA BOULEVARD SUITE 4002 BATON ROUGE, LOUISIANA 70805 (225) 922-1318										POSTED					
										SCHOOL					
										WAREHOUSE					
										FIELD SUPERVISOR					
2026 - 2027 TENTATIVE ORDER OF USDA DONATED FOOD COMMODITIES															
Please complete in entirety and return by FEbruary 27, 2026 or the donated food commodity items listed will NOT be ordered for your program. This is a tentative order and NOT an Order Acknowledgement. Commodities CANNOT be picked up with this notice.															
After this tentative order has been completed and returned to the State Office, commodities for your agency will be allocated monthly.															
The Louisiana Department of Agriculture and Forestry will order from the USDA the following items for your program to be allocated the months of August 2026 - April 2027 based on the number of units you can use and store without waste (unit size indicated below).															
COMMODITY CODE	COMMODITY ITEM	UNIT SIZE	ESTIMATED PRICE	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	TOTAL CASES	TOTAL VALUE
110211	Flour, White WW Blend	6/5 Lb Bag	\$13.12											0	\$0.00
100400	Flour, All Purpose Enriched	6/5 Lb Bag	\$12.57											0	\$0.00
100439	Vegetable Oil	6/5 Lb Bag	\$12.50											0	\$0.00
100036	Cheese, Process	6/5 Lb Case	\$71.21											0	\$0.00
100036	Cheese, Sliced LF	6/5 Lb Case	\$62.92											0	\$0.00
100034	Cheese, Mozzarella Lb Shrt	30 Lb Box	\$66.63											0	\$0.00
100034	Cheese, Mozzarella Lb Shrt	65 Lb Box	\$71.71											0	\$0.00
101031	Parboiled Brown Rice	25 Lb Bag	\$16.02											0	\$0.00
100494	Rice, Long Grain Parboiled	25 Lb Bag	\$12.63											0	\$0.00
110561	W/G Blend Macaroni	20 Lb Bag	\$7.07											0	\$0.00
110561	W/G Blend Macaroni	20 Lb Bag	\$29.48											0	\$0.00
100425	Pasta, Spaghetti, Enriched	20 Lb Bag	\$20.80											0	\$0.00
TOTAL VALUE OF ALL GROUP B ITEMS														\$0.00	
I have completed the "Tentative Order of USDA Commodities" according to the amount of donated food that can be used and stored without waste for our program. I understand that these items will be allocated according to our P/L balance for these commodities. In addition, I also understand that the quantities ordered may be subject to change due to limitations of quantities made available by USDA, availability in the warehouse and storage capabilities of the Department of Agriculture and Forestry.															
School Food Authority/Recipient Agency												Signature			
Date															

PAL PACKET ORDER FORM PAGE 2

ATTACHMENT 6A SCH-32MD		FOOD DISTRIBUTION LA. DEPARTMENT OF AGRICULTURE AND FORESTRY 5825 FLORIDA BOULEVARD SUITE 4002 BATON ROUGE, LOUISIANA 70806 (225) 922-1319												FOR OFFICE USE POSTED SCHOOL WAREHOUSE FIELD SUPERVISOR																																																																																																																																																															
SECTION 32 ORDER FORM 2026 - 2027 REQUESTED MONTHLY DELIVERY																																																																																																																																																																													
<small>THIS FORM IS FOR SECTION 32 ITEMS THAT ARE BEING OFFERED ON A MONTHLY BASIS. THESE ITEMS ARE BOUND BY THE SAME REGULATIONS AS OTHER SECTION 32 ITEMS IN THAT, THEY CANNOT BE CANCELLED. PLEASE ORDER ONLY THE AMOUNTS THAT WILL BE CONSUMED IN A TIMELY MANNER.</small>																																																																																																																																																																													
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PAL PACKET ORDER FORM PAGE 3

SECTION 32 ORDER FORM 2026 - 2027						POSTED SCHOOL FIELD SUPERVISOR
RECIPIENT AGENCY	WAREHOUSE NAME	UNIT SIZE	ESTIMATED COST/C'S	PLANNED MONTH OF ALLOCATION	# OF CASES REQUESTED	ESTIMATED VALUE
100206	Apple Slices	6#10 Cans	\$38.23	December	0.00	
110541	Applesauce, Unsweet	6#10 Cans	\$25.25	September	0.00	
110361	Applesauce Cup	964.5 Oz Cup	\$17.77	March	0.00	
100309	Carrots	6#10 Cans	\$21.78	January	0.00	
100309	Carrots	6#10 Cans	\$21.78	April	0.00	
100317	Sweet Potatoes	6#10 Cans	\$23.06	November	0.00	
110721	Swt Pot Crk Cut Fry	6/5# Pkg	\$40.83	February	0.00	
100357	Potato FFF	6/5# Pkg	\$35.59	December	0.00	
100357	Potato FFF	6/5# Pkg	\$35.59	April	0.00	
100844	Potato, Diced Frozen	6/5# Pkg	\$22.21	February	0.00	
100364	Veg Beans	6#10 Cans	\$21.12	February	0.00	
100366	Red Beans	6#10 Cans	\$21.10	August	0.00	
110177	Spaghetti Sauce	6/106 Oz Pouch	\$27.66	October	0.00	
110188	Salsa	6/105 Oz Pouch	\$29.82	August	0.00	
110473	Broccoli, Frz.	30 lb	\$55.29	November	0.00	
110473	Broccoli, Frz.	30 lb	\$55.29	February	0.00	
110724	Pepper/Onion Bltd, Frz	30# Case	\$49.67	As Available	0.00	
100101	Diced Chicken	40# Case	\$134.18	September	0.00	
100101	Diced Chicken	40# Case	\$134.18	February	0.00	
100117	Chix Fajita Strips	30# Case	\$81.59	August	0.00	
100117	Chix Fajita Strips	30# Case	\$81.59	January	0.00	
111882	Turkey Breast Smkd Slic Pkg	6/6# Pkg	\$164.02	As Available	0.00	
100119	Turkey Taco Fill	30# Case	\$83.51	September	0.00	
100119	Turkey Taco Fill	30# Case	\$83.51	March	0.00	
100125	Turkey Roast	40# Case	\$170.26	October	0.00	
100125	Turkey Roast	40# Case	\$170.26	February	0.00	
100126	Turkey Ham	40# Case	\$176.00	October	0.00	
100173	Pork Roast, leg	40# Case	\$82.01	November	0.00	
110730	Pork, Puffed	6/5# Pkg	\$108.53	As Available	0.00	
100184	Ham Water Added	4/10# Pkg	\$83.40	August	0.00	
110080	Roasted Chix	30# Case	\$143.19	As Available	0.00	
110462	Chix Strips Unseason	30# Case	\$98.45	April	0.00	
TOTAL SECTION 32 ORDERS						0.00

Signature

Date

PAL PACKET ORDER FORM PAGE 4

ATTACHMENT 5

COMMODITIES DIVERTED FOR PROCESSING 2026 - 2027

RECIPIENT AGENCY _____

FOR OFFICE USE
POSTED
SCHOOL
FIELD SUPERVISOR

COMMODITY ITEM	POUNDS PER TRUCK	VALUE PER POUND	POUNDS REQUESTED	TOTAL VALUE ASSESSED
100156 Beef, Special Trim	42,000	\$ 5.290		\$0.00
100155 Beef Boneless Combo	40,000	\$ 4.590		\$0.00
100154 Coarse Ground Beef	42,000	\$ 4.920		\$0.00
100134 Beef Crumbles	40,000	\$ 4.650		\$0.00
100113 Chicken, Legs	36,000	\$ 0.730		\$0.00
100103 Chicken, Large	36,000	\$ 1.590		\$0.00
100193 Boneless Pork Picnics	40,020	\$ 1.530		\$0.00
100124 Turkey	36,000	\$ 1.780		\$0.00
100883 Turkey Thigh Bulk	36,000	\$ 3.590		\$0.00
110244 Cheese Mozzarella Unfrz	41,125	\$ 2.040		\$0.00
100022 Cheese Mozz Frz	40,320	\$ 2.100		\$0.00
100021 Cheese Mozz Shred	40,320	\$ 2.290		\$0.00
110242 Barrel Cheese	40,800	\$ 2.170		\$0.00
100036 Cheese Blended SLC	39,600	\$ 2.100		\$0.00
110254 Yellow Cheddar	40,800	\$ 2.130		\$0.00
101031 Rice, Brown Parboiled	42,000	\$ 0.600		\$0.00
100047 Eggs, Bulk	48,000	\$ 2.150		\$0.00
100332 Tomato Paste	39,900	\$ 0.690		\$0.00
100912 Flour Bulk	45,000	\$ 0.270		\$0.00
100418 Flour Baker Bulk	45,000	\$ 0.240		\$0.00
110601 Pollock Bulk	39,600	\$ 1.880		\$0.00
110227 Potato Bulk Dehy	40,000	\$ 0.120		\$0.00
TOTAL VALUE OF DIVERSION REQUESTS.....				\$0.00

DUE FEBRUARY 27, 2026

Signature _____

Date _____

DIVERSION
ORDER
FORM
PAGE 1

If your school cannot order enough quantity for a full truckload, you will have to coordinate with other schools to complete the required load.

School, Co-Op or Group Official: _____ Date _____

DIVERSION ORDER FORM
PAGE 2

PROCESSED FOOD DELIVERY REQUEST

This form must be received by the Food Distribution Division no later than the 25th of the month prior to the requested delivery month. Email to drtnrce@lmaf.state.la.us.

Please include the following commodity processed items with my commodity delivery for the month of

Processor	Item Description	Item Code	Number of cases
1			
2			
3			
4			
5			
6			
7			
8			

I understand that the Department of Agriculture & Forestry will make every reasonable effort to deliver these items with my regular commodities but is not required to do so.

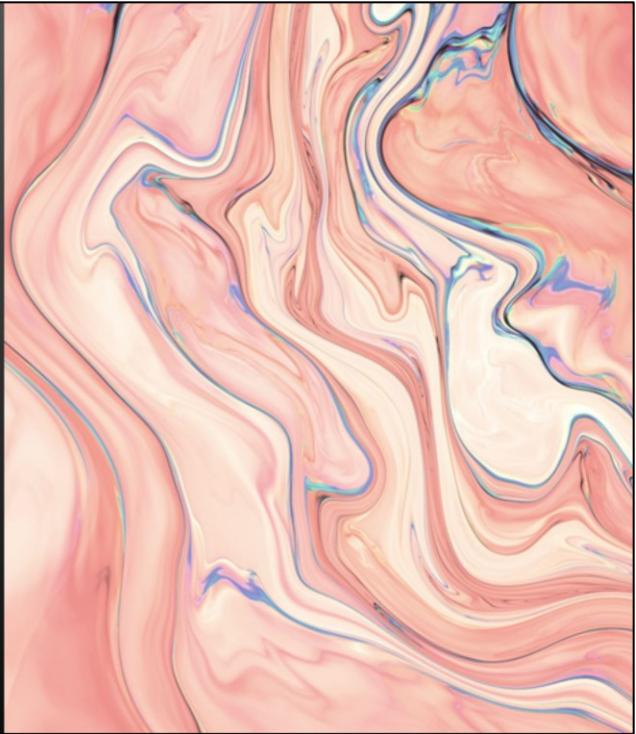
Signature _____

Date _____

School Food Authority _____

DIVERSION ORDER FORM PAGE 3

SUMMER FEEDING



SUMMER FEEDING PACKET



U.S. DEPARTMENT OF AGRICULTURE - ANAHEIM

FOOD DISTRIBUTION DIVISION

ENDING INVENTORY / REBONATION STATEMENT

SUMMER FOOD SERVICE PROGRAM

DIRECTIONS: Complete Part 1 or Part 2. Return to the State Office within thirty (30) days after the close of the program. There is no donated food inventory at the close of the program.

PART 1:

Name of the SFSP Agency _____ Date _____

Signature of Authorized Representative _____ Date _____

PART 2:

DIRECTIONS: Prior approval for a rebonation of a commodity from another eligible recipient agency must be given by the Food Distribution Division Field Supervisor. This form must be completed in triplicate. One copy of the completed form must be retained by both the donating and receiving agencies and the original should be sent to the Louisiana Department of Agriculture and Forestry's Food Distribution Division.

Name of Food Distribution Field Supervisor _____

Name of Agency Receiving Agency _____

Date Approval Received _____

The following donated food items have been rebotted:

COMMODITY ITEM	QUANTITY

FD-1010
02/98
Louisiana Department of Agriculture and Forestry
Food Distribution Division

ATTACHMENT 12

SUMMER COMMUNITY REBONATION STATEMENT

DIRECTIONS: This form should be completed in triplicate at the time of rebonation, or if a commodity has to another eligible recipient agency. Prior approval for a rebonation must be given by the Food Distribution Field Supervisor. This form must be completed in triplicate. One copy of the completed form must be retained by both the donating and receiving agencies and the original should be sent to the Louisiana Department of Agriculture and Forestry's Food Distribution Division.

Name of SFSP Agency _____ Date _____

Date Approved Received _____

The following donated food items have been rebotted:

COMMODITY ITEM	QUANTITY

FOOD SERVICE MANAGEMENT COMPANIES



At-Risk Supper Program



At-Risk Afterschool Program-Program Eligibility

- Programs must be organized primarily to provide care for children afterschool or on weekends, holidays, or school vacations during the **REGULAR SCHOOL YEAR**.
- Meals and snacks served on regular school days must be served **after** the end of the school day.
- Weekend Service requires prior approval and is not retroactive
- Expanded Learning Time Option (SFAs Only)
 - Average instructional day is approximately 6 hours
 - Must operate a minimum of 7 hours of instruction time in a normal school day for the 2025-2026 school year
 - May qualify to serve a meal or snack to students after the 6 hour average, but before the end of the school day



At-Risk Afterschool Program-Participant Eligibility

- Participants must be 18 or under at the start of the school year.
- Participants that turn age 19 during the school year are also eligible.
- There is no age limit for persons with disabilities enrolled in the afterschool program.
- There is no minimum age for participation.



At-Risk Afterschool Program – Enrichment

- The At-Risk Afterschool Program must provide organized regularly scheduled **education or enrichment activities**. Activities must be open to all children who want to participate.
- In order for sports teams to participate, there must be another afterschool enrichment activity that is inclusive to all students occurring at the same time the sports team is practicing.
- If there are no inclusive enrichment activities occurring on a specific day, then At Risk Meals/Snacks cannot be claimed for reimbursement.



At Risk Afterschool – Site Eligibility and Reimbursement

- The site must be located at a school or in the attendance zone of a school where at least 50% or more of the children are eligible for free or reduced meals.
- CEP participation does not automatically qualify a site as area eligible.
- All At-Risk meals and snacks served at area eligible sites are reimbursed at the **Free** rate.
- Cash-in-lieu reimbursement is provided with each Lunch/Supper meal served.



At-Risk Afterschool Meal Service

- The maximum number of Program meals and snacks that can be claimed for the CACFP At-Risk Afterschool Program is **one meal and one snack per child per day**.
- In order to be approved to serve a meal and a snack, there must be at least one hour between the service of both.
- There is no time limit between the end of the school day and the service time of the first At-Risk meal or snack.
- Sponsors **cannot** be approved to serve both the CACFP At Risk Afterschool Snack and the NSLP Afterschool Snack at the same location.
- Sponsors **can** be approved to serve the CACFP At Risk Supper and NSLP Afterschool Snack at the same location, but they cannot be approved to be served at the same time.



At-Risk Afterschool Meal Service

- **Meals and snacks must be eaten on-site.** Non-congregate options are not available in the CACFP.
- Participation is optional and students cannot be mandated to receive a meal or snack.
- Students must be allowed sufficient time to consume the meal on-site, which helps to prevent meals or snacks from being taken off-site.
- If meals/snacks are served within a classroom for an expanded learning day, the student must be allowed to consume those meals/snacks in the classroom.



At-Risk Afterschool Meal Pattern Requirements

Supper Meal Pattern

1. Milk
2. Meat/Meat Alternate
3. Vegetable
4. Fruit
5. Bread/Grain

1 year old - unflavored whole milk
 2 through 5 years old - unflavored fat-free/skim or low-fat/1% milk
 6 years and older - unflavored or flavored fat-free/skim or low fat/1% milk

A second vegetable may be served in place of the fruit component. When two vegetables are served at lunch or supper, two different kinds of vegetables must be served. Service of two fruits is not allowed.

There are no vegetable subgroup requirements in the CACFP meal patterns.

Must serve at least one whole grain-rich item per day.

LUNCH AND SUPPER Meal Pattern for Children and Adults

Food Components and Food Items ¹	Ages 1-2	Ages 3-5	Ages 6-12	Ages 13-18 ² (at-risk adolescent programs and emergency shelters)	Adult
Fluid milk ³	4 fl oz	6 fl oz	8 fl oz	8 fl oz	8 fl oz ⁴
Meats/meat alternates Edible portion as served:					
Lean meat, poultry, or fish	1 oz eq	1½ oz eq	2 oz eq	2 oz eq	2 oz eq
Tofu, soy products, or alternate protein products ⁵	1 oz eq	1½ oz eq	2 oz eq	2 oz eq	2 oz eq
Cheese	1 oz eq	1½ oz eq	2 oz eq	2 oz eq	2 oz eq
Large egg	½	¾	1	1	1
Cooked dry beans or peas	¼ cup	½ cup	½ cup	½ cup	½ cup
Peanut butter or soy nut butter or other nut or seed butters	2 Tbsp	3 Tbsp	4 Tbsp	4 Tbsp	4 Tbsp
Yogurt, plain or flavored, unsweetened or sweetened ⁶	4 oz or ½ cup	6 oz or ¾ cup	8 oz or 1 cup	8 oz or 1 cup	8 oz or 1 cup
The following may be used to meet no more than 50 percent of the requirement:					
Peanuts, soy nuts, tree nuts, or seeds, as listed in program guidance, or an equivalent quantity of any combination of the above meat/meat alternates (1 oz of nuts/seeds = 1 oz of cooked lean meat, poultry, or fish)	½ oz eq = 50%	¾ oz eq = 50%	1 oz eq = 50%	1 oz eq = 50%	1 oz eq = 50%
Vegetables ^{7,8}	½ cup	½ cup	½ cup	½ cup	½ cup
Fruits ^{7,8}	½ cup	½ cup	½ cup	½ cup	½ cup
Grains (oz eq) ^{9,10,11}	½ oz eq	½ oz eq	1 oz eq	1 oz eq	2 oz eq



At-Risk Afterschool Meal Pattern Requirements

Snack Meal Pattern

(Select two different components from the following five components)

1. Milk
2. Meat/Meat Alternate
3. Vegetable
4. Fruit
5. Bread/Grain

Juice may not be served at snack when milk is served as the only other component.

Juice may only be served once per day in the CACFP.

SNACK **Meal Pattern for Children and Adults**

(Select 2 of the 5 components for a reimbursable snack)

Food Components and Food Items ¹	Ages 1-2	Ages 3-5	Ages 6-12	Ages 13-18 ² (at-risk afterschool programs and emergency shelters)	Adult
Minimum Quantities					
Fluid Milk ³	4 fl oz	4 fl oz	8 fl oz	8 fl oz	8 fl oz
Meats/meat alternates					
Lean meat, poultry, or fish	½ oz eq	½ oz eq	1 oz eq	1 oz eq	1 oz eq
Tofu, soy product, or alternate protein products ⁴	½ oz eq	½ oz eq	1 oz eq	1 oz eq	1 oz eq
Cheese	½ oz eq	½ oz eq	1 oz eq	1 oz eq	1 oz eq
Large egg	½	½	½	½	½
Cooked dry beans or peas	½ cup	½ cup	¼ cup	¼ cup	¼ cup
Peanut butter or soy nut butter or other nut or seed butters	1 Tbsp	1 Tbsp	2 Tbsp	2 Tbsp	2 Tbsp
Yogurt, plain or flavored unsweetened or sweetened ⁵	2 oz or ¼ cup	2 oz or ¼ cup	4 oz or ½ cup	4 oz or ½ cup	4 oz or ½ cup
Peanuts, soy nuts, tree nuts, or seeds	½ oz eq	½ oz eq	1 oz eq	1 oz eq	1 oz eq
Vegetables ⁶	½ cup	½ cup	¾ cup	¾ cup	½ cup
Fruits ⁷	½ cup	½ cup	¾ cup	¾ cup	½ cup
Grains (oz eq) ^{7,8,9}	1/2 oz eq	1/2 oz eq	1 oz eq	1 oz eq	1 oz eq



Grain Based Desserts

 United States Department of Agriculture

Grain-Based Desserts in the Child and Adult Care Food Program

Kids need the vitamins, minerals, and other nutrients in foods such as fruits, vegetables, whole grains, low-fat dairy, and lean protein foods. Too often, kids are filling up on foods high in added sugars and low in nutrients.

As of October 1, 2017, grain-based desserts no longer count toward the grain component of meals and snacks offered through the Child and Adult Care Food Program (CACFP). This small change helps reduce the amount of added sugars kids eat in child care.

What Are Grain-Based Desserts?

The chart below lists some common grain-based desserts:

Grain-Based Desserts (Not Reimbursable in the CACFP):	Not Grain-Based Desserts (Reimbursable in the CACFP):
<ul style="list-style-type: none">BrowniesCakes, including coffee cake and cupcakesCookies, breakfast bars, and granola barsCookies, including vanilla wafersDoughnuts, any kindFig rolls/bars/cookies and other fruit-filled rolls/bars/cookiesGingerbreadIce cream conesMarshmallow cereal treatsPies, such as dessert pies, cobblers, and fruit turnoversSweet bread puddingsSweet biscuits, such as those made with fruits, chocolate, etc.Sweet croissants, such as chocolate-filledSweet pita chips, such as cinnamon-sugar flavoredSweet rice puddingsSweet scones, such as those made with fruits, icing, etc.Sweet rolls, such as cinnamon rollsToaster pastries	<ul style="list-style-type: none">Banana bread, muffins, bread, and other quick breadsCereals that meet the sugar limit and are whole grain-rich, enriched, and/or fortifiedCrackersCrackers, all typesEnglish ToastMuffinsPancakesPie crusts of savory pies, such as vegetable pot pie and quichePlain croissantsPlain or savory pita chipsSavory biscuits, such as those made with cheese, vegetables, herbs, etc.Savory bread puddings, such as those made with cheese, vegetables, herbs, etc.Savory biscuits, such as those made with cheese, vegetables, herbs, etc.Savory scones, such as those made with cheese, vegetables, herbs, etc.Teething biscuits, crackers, and toastsTortillas and tortilla chipsWaffles

Whole grain-rich and homemade grain-based desserts are also not creditable in the CACFP.

More training, menu planning, and nutrition education materials for the CACFP can be found at <https://teamnutrition.usda.gov>.



Grain based desserts are not allowable bread/grain components at any meal or snack in the CACFP!

Muffins, animal crackers and graham crackers are allowable bread/grain components.

Can I serve a grain-based dessert if it is whole grain-rich?

Grain-based desserts, even those made with whole grains, cannot count towards the grain component of a CACFP meal or snack.



Offer Versus Serve

OVS in the CACFP At-Risk Afterschool Program (Supper)

1. Offer these 5 components:

- Milk
- Meat/Meat Alternate
- Vegetable
- Fruit
- Bread/Grain

2. Offer at least one food item from each component.

3. Ask the child to choose food items from 3 or more food components.

4. At least 3 components are needed for a reimbursable lunch/supper meal.

ALL FOOD ITEMS, INCLUDING MILK, MUST BE OFFERED IN ORDER FOR THE MEAL TO BE REIMBURSABLE.

Offer versus serve is not allowed for snack.



CACFP Record Keeping Requirements

- Point of Meal Service Records/Meal Count Attendance Records
- Menu Worksheets/Production Records
- Financial Documentation
- Training Records
- Monitoring Records
- CACFP Required Policies & Procedures

<https://cnp.doe.louisiana.gov/DNAMemos/Forms.asp>



Point of Meal Service/Meal Count Attendance Record

- Meal counts must be obtained daily by recording the names of the participants and whether they received an At-Risk Meal or Snack. **School Attendance Records or hash marks cannot be used to maintain Point of Meal Service records for the CACFP.**
- Point of Service documentation must be legible and meal counts must match meal counts in the submitted CACFP claim.
- It is recommended that Sponsors use the same meal count records for all sites. Problems with documentation occur when each site is using a different form and different method of recording meal count attendance.



Point of Meal Service/Meal Count Attendance Record

WEEKLY POINT OF MEAL SERVICE RECORD		WEEK OF:				
FACILITY:		WEEK OF:				
CURRENT ENROLLED PARTICIPANTS		Monday	Tuesday	Wednesday	Thursday	Friday
TOTAL						
<small>Meal Types are "S" = Snack & "M" = Supper. This form is for use in the daily meal count attendance record. It is not for use in the monthly meal count attendance record. It is used only to collect information for the center's consolidated monthly meal count record.</small>						

Page 1

Sample CACFP Weekly Point of Meal Service Record With All Required Components

- Facility Name
- Dates
- Participant Name
- Meal Types
- Total Meal Counts



Menu Worksheets/Production Records

- Menu worksheets/production records must be available for every At-Risk Meal and/or Snack claimed for reimbursement.
- Menu worksheets/production records must contain the following:
 - name of the facility, meal type and the date of service
 - number of meals served in each age group
 - all required components that were included in the meal or snack
 - amount prepared for each required component
- Prepackaged Meal Kits
 - **MUST** provide the official CN Label/Product Formulation Statement for all components to verify compliance
- Processed foods that are not part of a prepackaged meal kit such as chicken nuggets, pizza, etc. must also have an accompanying CN Label or Production Formulation Statement.



Financial Documentation

- Invoices, receipts, line-item reports and any other records pertaining to financial management of the CACFP.
- Separate checking accounts are not required for the CACFP, but accurate records must be maintained for the individual CNP programs. This ensures that income and expenses for each CNP program can be verified.
- There is no federal requirement that food inventories used for various Child Nutrition Programs be stored separately.



CACFP Training & Monitoring

Training

- Two trainings per year are required
- **CACFP Record Keeping and Civil Rights Training must be conducted annually**
- Can be combined with annual NSLP training sessions as long as CACFP topics are covered
- Signatures of each participant attending training must be maintained on file.

Monitoring

○ **Monitor food service operations three times per year- at each facility**

- Conducted in accordance with dates specified in the approved Sponsor Application
- One to be conducted during the first four weeks of program operations
- Must not be completed more than 6 months apart
- Two of the three reviews must be unannounced
- At least one must include a meal observation
- **Must use the LDOE CACFP Monitoring Review Form**



Policies and Procedures

The following written policies and procedures must be in the employee handbook :

- Compensation Plan
- Policy that addresses outside employment
- Policy that addresses CACFP Critical Program Functions
- USDA Non-Discrimination Policy



TAs for At-Risk Snack or Supper

If you participate in At-Risk Snack or Supper, (especially if you haven't been reviewed in a few years), please let us know if you would like to be scheduled for a Technical Assistance visit to prepare you for a review.

At Risk After School Meal Training is scheduled for January 21, 2026. The virtual training will be held from 1:00 - 2:00pm. Please register through the Louisiana Fit Kids website.



SSO/SFSP Overview



Seamless Summer Option (SSO)



Seamless Summer Option (SSO) - GENERAL

- Available to School Food Authorities (SFAs).
- Enables SFAs to provide free summer meals in low income areas during the traditional summer vacation periods.
- For SFAs with year-round schools, SSO participation may be granted during school vacation periods that are longer than 10 days.
- Designed to encourage more SFAs to provide meals during summer and other school vacation periods.
- This option combines features of the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Summer Food Service Program (SFSP).
- Under SSO, meals are reimbursed at the free NSLP/SBP rates.



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School Food Authorities participating in the National School Lunch or School Breakfast Program are eligible to apply for the Seamless Summer Option.

In this option, SFAs continue the same meal service rules and claiming procedures used during the regular school year. Meals are reimbursed at the free rates for school lunches and school breakfasts, which are slightly lower than the Summer Food Service Program rates. It has less paperwork, making it easier for schools to feed children during the traditional summer vacation periods and, for year-round schools, long school vacation periods. It is designed to encourage more SFAs to provide meals during summer and other school vacation periods. It enables SFAs to provide free summer meals in low income areas during the traditional summer vacation periods.

What site types are available under the SSO?

Site eligibility requirements for the SSO are the same as for the Summer Food Service Program (SFSP).

The site types listed (to the right) may be offered at schools or non-school facilities, as well as parks or other outdoor locations and mobile feeding sites.

- Open
- Restricted Open
- Closed Enrolled
- Camps
- Migrant



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Sites types available under SSO include:

- Open
- Restricted Open
- Closed Enrolled
- Camps
- Migrant

Site eligibility requirements for the SSO are the same as for the Summer Food Service Program (SFSP).

SFAs Interested in Applying for the SSO

Must be able to demonstrate administrative capability and financial viability to properly operate the meal service during school vacation periods.

Previous participation in the SFSP is not a requirement for sponsor participation in the SSO.



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SFAs must be able to demonstrate administrative capability and financial viability to properly operate the meal service during school vacation periods.

Previous participation in the SFSP is not a requirement for sponsor participation in the SSO.

The SSO Application Process

- Submitted annually by the SFA through the online CNP website
 - The application is available under the green “School Food Service” tab under the subheading “Seamless Waiver”
- One application is to be submitted for each SSO participating site
- When possible, all site applications should be submitted together in one single application submission



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The SSO application is submitted annually through the CNP website.
The application is under the green School Food Service tab under the subheading Seamless Waiver.
One application is submitted for each participating site.
If possible, all site applications should be submitted together in one single submission.

More on the SSO

- Sponsors operating the SSO beyond June 30th must submit two sets of SSO applications in order to receive approval for both program years in which operations occur.
- The SSO follows the same calendar year as the NSLP/SBP academic school year (SY).
 - The academic SY calendar is July 1st through June 30th
- Therefore, if a sponsor intends to offer the SSO beyond June 30th, a new application must be submitted for each site planning to operate in the month of July (since this reflects a new SY).



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The academic school year is July 1st - June 30th. Therefore, if the sponsor will operate SSO beyond June 30th, the sponsor will need to submit a new SSO application for sites operating in July.

You must submit two SSO applications in order to be approved to operate SSO in both program years (June and July).

Reimbursement for SSO Meals

- For sites that normally receive additional reimbursement due to SN breakfast and/or menu certification (performance based reimbursement), these rates will continue to be provided during the SSO.
- Sponsors participating in the SSO in the month of May and/or June will receive the current SY reimbursements.
- Sponsors participating in the SSO in the month of July and/or August will receive the new school year reimbursement.



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If the site normally receives Severe Needs Breakfast or menu certification (performance based reimbursement) then these rates will continue during SSO operations.

During the months of May and June, sponsors will receive the current SY reimbursement rates.

During the month of July, sponsors will receive the new SY reimbursement rates.

Monitoring and Documentation of Meals

Monitoring of SSO sites:

Each year, SFAs are required to review each SSO site at least once during its operation. The SFA must review the site's compliance with meal counting, claiming, menu planning, and food safety requirements.

Documentation of Meals:

As set forth in the NSLP and SBP Federal Regulations (at 7 CFR 210.10(a)(3) and 220.8(a)(3)), schools must keep production records and menu records for the meals they produce, including those offered under the SSO. Keep in mind that the SSO is an extension of the NSLP and SBP offered during the SY.



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SFAs are required to review each SSO site at least once during the operation for compliance with meal counting, claiming, menu planning, and food safety requirements. SFAs must also keep production record and menu record for the meal they produce during the SSO operation as SSO is an extension of the NSLP and SBP offered during the SY.

The SSO Meal Pattern

- SFAs **must continue to offer** menus that are in compliance with the current NSLP and/or SBP meal pattern requirements
- Most SSO sponsors continue to offer the same menus as provided during the SY
- OVS is still required for high-school grades for lunch
- OVS is optional for all other grade levels at lunch and is optional for all at breakfast



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SFAs must continue to offer the menus that are in compliance with the current SBP and NSLP meal pattern requirements. This is different from SFSP that provides flexibility in meal pattern.

Most sponsors choose to continue to offer the same menus they provide during the SY. OVS is still a requirement for high schools grade levels for lunch. It is optional for all other grade levels at lunch and optional for all grade levels at breakfast.

SSO Meal Service

There are designated meal period time frames for SSO sites.

For breakfast, per 7 CFR 220.2(b), meal service must occur in the morning hours. The meal shall be served at or close to the beginning of the child's day at school.

For lunch, per 7 CFR 210.10(f), meal service must occur between the hours of 10:00 AM and 2:00 PM.



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For SSO, there are designated meal period time frames.

Breakfast meal service must occur in the morning hours close to the beginning of the day.

Lunch meal service must occur between the hours of 10:00 AM and 2:00 PM.

Counting/Claiming of SSO Meals

- Like with any Child Nutrition Program (CNP) offered by the sponsor, an accurate Point of Service (POS) **must** be provided for each meal service offered.
- SFAs participating in the SSO often continue to utilize the same POS methods used during the SY as to continue the same processes that staff are familiar with.
- There is the option to utilize manual processes, should the SFA choose (i.e. hash mark sheets, rosters, etc.).
- Due to area eligibility, children receive free meals through the SSO.



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Point of Service **must** be provided for each meal service. SFAs participating in the SSO often continue to utilize the same POS methods used during the SY as to continue the same processes that staff are familiar with. However, there is the option to utilize manual processes, should the SFA choose (i.e. hash mark sheets, rosters, etc.).

Counting/Claiming of SSO Meals

- Claims for reimbursement process completed for SSO is the same as during the academic school year (Green School Food Service tab - SBP/NSLP claims)
- SSO meal count data will be reported under separate line items in the claim
- SSO meal data appears in light green shading and, once entered, is displayed below the SFS line items

SCHOOLS	RED ELIG	FREE ELIG	PAID ELIG	ADA	NUMBER OF STUDENT MEALS							
					MEAL TYPE	NO. DAYS	ADP	RED	FREE	PAID	TOTAL MEALS CLAIMED	OTHER MEALS (MEALS NOT CLAIMED)
Florien High School [043004]	0	0	0	48	✓ LUNCH	0	0	0	0	0	0	0
					✗ BREAKFAST							
					✓ SN BREAKFAST	0	0	0	0	0	0	0
					✗ SNACK							
					✓ Free SNACK	0	0	0	0	0	0	0
					✓ LUNCH	16	48	0	763	0	763	16
					✗ BREAKFAST							
					✓ SN BREAKFAST	16	48	0	763	0	763	16
					✗ SNACK							
					✗ Free SNACK							
					✗ SUPPER							
View		View comments		0	75	0	48					



The same claiming process is completed for SSO as done throughout the academic school year. However, the SSO meal count data is reported under a separate line item. The SSO data will appear in light green and displayed below the SFS line items.

Counting/Claiming of SSO Meals

- The same claim deadlines apply for SSO claims as for any other CNP claims filed
- Sponsors should aim to submit claims by the 10th of the month following the claim period
- The final deadline to submit is the **60th calendar day** following the claim period



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The same claim deadlines apply for SSO claims as for any other CNP claims filed.

Sponsors should aim to submit claims by the 10th of the month following the claim period.

The final deadline to submit is the 60th calendar day following the claim period.

SSO Administrative Reviews

- Participating sponsors must receive a SSO review from the state agency no less than once every 5 years
- Reviews of the SSO occur when the SSO is in operation (during the summer months)
- During the onsite portion of the review, SA staff will observe meal service at one (or more) sites
- USDA requires that SSO sponsors receive their SSO review in either the summer immediately preceding or the summer immediately following their scheduled SFS Administrative Review (AR)



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State agencies must conduct administrative reviews of all school food authorities participating the Seamless Summer Option at least once during a 5-year review cycle. Reviews of the SSO occur when the SSO is in operation (during the summer months). During the onsite portion of the review, SA staff will observe meal service at one (or more) sites.

USDA Food and Nutrition Services (FNS) requires that SSO sponsors receive their SSO review in either the summer immediately preceding or the summer immediately following their scheduled SFS Administrative Review (AR).

Summer Food Service Program (SFSP)



SFAs and CACFP Sponsors in Good Standing Planning to Participate in SFSP

School Food Authorities in good standing in the National School Lunch Program or School Breakfast Program, or institutions in good standing in the Child and Adult Care Food Program:

- Are required to submit a management plan; and
- The State agency may request additional evidence of financial and administrative capability sufficient to ensure that the School Food Authority or Institution has the ability and resources to operate the Program.



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To operate in the Summer Feeding Program, SFAs must currently be in good standing in NSLP/SBP.

Summer Food Service Program (SFSP)

- SFSP reimbursement rates apply (these exceed traditional NSLP/SBP rates). Current NSLP/SBP meal patterns may be followed by SFAs or they may default to the SFSP meal pattern as other sponsor types use.
- Site Types
 - Open
 - Restricted Open
 - Closed Enrolled
 - Residential OR Non-residential Camp
 - National Youth Sports Program (NYSP) Site
 - Migrant or Homeless Site
 - Upward Bound Site
- Sites may be located in a variety of safe and supervised settings, including:
 - Schools
 - Parks
 - Community Centers
 - Churches
 - Camps
 - Migrant Centers



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If SSO is not an option, SFAs may choose to participate in the traditional Summer Food Service Program model. When operating in SFSP, SFAs will be reimbursed at the SFSP rates which exceed NSLP/SBP rates. Meals must meet component and portion size requirements as SFAs have the option to utilize either the NSLP/SBP meal pattern or the SFSP meal pattern.

State Agency Approval: Congregate and Non-Congregate Meal Service

- ❖ All sites **must** be approved prior to the start of operations.
- ❖ If SFAs are approved for **congregate** meal service, meals must be consumed on-site. Meals served away from approved locations, without prior State Agency approval, will be disallowed. If children take meals off-site, meals cannot be claimed.
- ❖ SFAs must have approved **non-congregate** feeding sites established and approved within the CNP system before NC meal service begins.

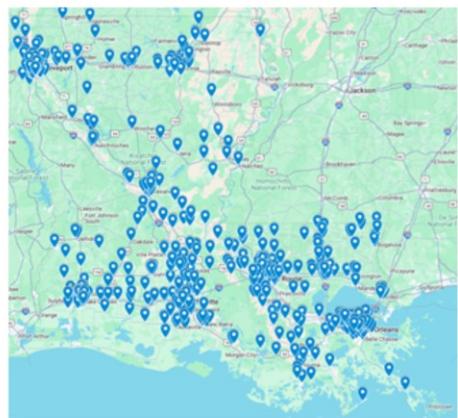


Non-Congregate Meal Service

The method of delivering meals directly to homes of eligible children or serving them at distribution sites without the requirement for congregate feeding.

Where can a SFA provide non-congregate meal service?

- Rural area
- No congregate meal service available within a 2.5 mile radius



2024 Summer Sites



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Another summer feeding option is Non-Congregate feeding...

Non-congregate feeding is the method of delivering meals directly to the homes of eligible children or serving them at distribution sites such as schools or community centers without the requirement for the children to gather in a central location.

Where can Non-Congregate meal service be provided:

SFAs can provide non-congregate summer meals in rural areas that do not have congregate meal service within a 2.5 mile radius. The state agency will review site requests for non-congregate sites to determine eligibility.

Allowable Non-Congregate Meal Service Models

- Home Delivery
- Meal Pickup (Grab-and-go)
 - Multi-day issuance of both

Food safety is essential for all meal service models.

Sanitarians MUST be informed of your intention to provide non-congregate meal service and the model must meet all state and local food safety requirements.



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What models of non-congregate meal service are allowed?

Home delivery and meal pick-up options may be used for summer 2025; SFAs opting to use these models must ensure that they are able to maintain accountability and program integrity.

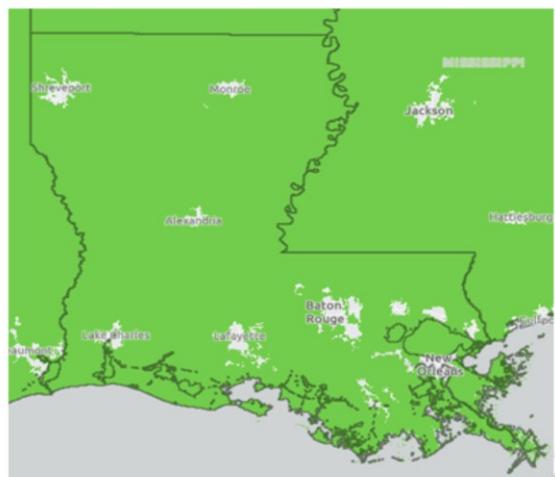
Home Delivery: This non-congregate meal service model is designed to deliver meals directly to homes. Delivery could be completed by mail or delivery service, or could be hand-delivered by the SFA's staff, volunteers, or others.

Meal Pickup: This non-congregate meal service model is designed to provide packaged meals that are taken home for children to eat later. Examples of meal pickup include "grab and go," curbside service, or take-home backpacks. Meal pickup is available to all children when the pick-up site is in an area-eligible area, or to children who are eligible for free or reduced price school meals when the pick-up site is in an area that is not area-eligible. Meals must be packaged and portioned to allow children to carry the food from the SFSP site to their home.

Food safety is important for all meal service models. Sponsors should ensure food selections and packaging promote food safety; sponsors should also include instructions on at-home storage and preparation. As with congregate SFSP meal service, sponsors must ensure non-congregate meal packages meet State and local health and safety requirements.

Determining Rural Designation

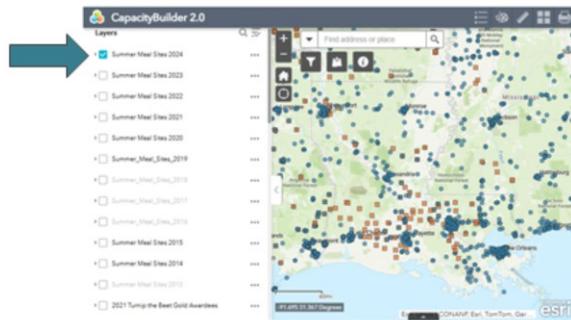
<https://www.fns.usda.gov/sfsp/rural-designation>



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Rural determination is based on the USDA rural designation map.

Site Proximity: Will my site address qualify?



- Congregate feeding sites have priority over non-congregate
- Enter your site address to see if it is further than a 2.5 mile radius of a known site
- Cross check with the rural designation map
- ******If sites from last year choose not to participate, new areas may open up for non-congregate feeding

<https://www.fns.usda.gov/sfsp/capacitybuilder>



Another resource for SFAs to utilize in determining site proximity...

Congregate feeding is the primary focus of Summer Feeding. If your area is not covered by congregate feeding and is designated as rural by USDA, your site may be eligible to serve non-congregate meals. Visit the USDA Capacity builder to see a list of sites that have historically been approved in your area. Non-congregate will not be an option if it is within a 2.5 mile radius of an approved congregate Summer Feeding site.

Summer Food Service Training Sessions

Date	Time	Location	Description
February 20, 2026	8:00am - 1:00pm	LDOE Claiborne Building/In-Person	Prospective New Sponsors - This training is for sponsors who are entirely new to the SFSP or those who last operated prior to summer 2025.
March 3, 2026	8:00am - 1:00pm	LDOE Claiborne Building/In-Person	Returning Sponsors - This training is for SFAs (currently operating NSLP) who plan to operate during the summer months and sponsors who participated in the SFSP during the summer of 2025.



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If an SFA is interested in operating the traditional SFSP (congregate and/or non-congregate), please register and attend one of the training sessions listed above for more detailed information about the requirements of the summer feeding program, including the non-congregate feeding option.

Procurement Overview



Utilizing State Contract Pricing

Q&A: Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Services



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LA has a State Contract that SFAs can utilize which has many items that the SFAs may use. Many SFAs believe that if the item is on the State Contract, then the items may be purchased with no further consideration to procurement, as mentioned in Louisiana Revised Statute 38:2212.1(F). This statute allows for the exception to bidding requirements for materials and supplies purchased under the cooperative purchasing agreement from the State Contract. Sponsors must always follow the most restrictive requirements. In this case, it would be USDA's requirements and not Louisiana Revised Statutes that are the most restrictive and according to Federal regulations purchasing off the State contract without conducting a competitive procurement process is limited to Micro purchases only and as you remember with Micro purchases they must be spread equitably among qualified sources.

Procurement regulations that govern procurement transactions are located in 2 CFR 200.318-327 and Appendix II to part 200. There are also Program procurement regulations that must be followed as well.

There is a USDA Memo SP-05-2017, entitled Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Services which requires SFAs to conduct a competitive procurement process. Following all the regulations that I just mentioned. What does that mean?

SFAs must ensure that procurements are conducted in a manner that allows the most opportunity for open competition. State Contract pricing may be source of pricing when conducting a competitive process. This applies to both informal and formal procurements. Whether obtaining quotes or requesting bids/proposals, State Contract pricing can only be one source of pricing when obtaining goods and services.

All hyperlinks have been added above for sponsor review and convenience. Also included is the Louisiana Legislative Auditor's Public Bid Law question and answer document. It will assist the sponsors in understanding LRS 38:2212.1(F).

Q&A: Purchasing Goods and Services Using Cooperative Agreements, Agents, and Third-Party Services

Informal Procurement Methods

Micro purchases \$15,000 or less, unless the SFA self-certifies for the Louisiana Micro-purchase threshold of \$30,000 see 2 CFR 200.320(a)(1).

Small Purchase \$60,000 or less for public and private institutions.

\$350,000 or less for charter schools.



Self-certification verification has now been added to the NSLP Annual Application

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Today we are going to discuss informal procurement methods.

As of October 1, 2025, OMB amended the FAR to adjust statutory acquisition-related thresholds for inflation. 48 CFR 2.101 shows the increased micro-purchase threshold from \$10,000 to \$15,000.

Micro-purchase is a tool that SFAs can use to purchase food, supplies or services with a value of \$15,000 or less. This method is generally used for occasional activities, such as the harvest of the month, sampling new products, trying out a vendor or an emergency purchase. When using the micro purchase method of procurement, SFAs must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may only be used when the SFA considers the price to be reasonable.

SFAs are able to establish a threshold higher than the micro-purchase threshold identified in the FAR (\$15,000). Reference 2 CFR 200.320(a)(1). In the State of Louisiana, the micro-purchase threshold is a single transaction of \$30,000 or less. The SFA must self-certify a threshold up to \$30,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with 2 CFR 200.334. The verification of self-certification has now been added to the NSLP Annual Application.

The Small purchase procurement threshold is \$60,000 or less (\$350,000 or less for charter schools). The local SFA may have more stringent requirements. The SFA must follow the most restrictive requirements. In all cases, state law requires that no less than 3 quotes be obtained.

Micro Purchase



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Now, we will discuss the Micro Purchase method and how to utilize it.



THE MICROPURCHASE METHOD IS NOT TO BE USED TO AVOID PROPER PROCUREMENT!



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The Micro Purchase Method is not to be used to avoid proper procurement. If a Micro Purchase procurement is used several times in a year for the same product or products, it is likely that the Small Purchase procurement method should have been used.

Do not let this be your situation. It is up to the School Food Service Director to look at past costs and forecast costs for the upcoming school year. Performing a cost analysis will allow the SFA to always use the correct procurement method and make good use of child nutrition funds.

Question: What do you do if multiple micro-purchases for the exact same product will exceed the \$15,000 threshold?



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Micro-purchases are not totaled annually, but per single purchase. However, if the SFA knows that multiple broccoli purchases for the school year will exceed \$15,000, micro-purchase is not the right method to procure broccoli throughout the school year. In this instance, the Small Purchase Threshold should be used.

The example listed does not refer to aggregate micro-purchases, where SFAs combine smaller purchases to make one larger micro-purchase. This example refers specifically to circumventing the procurement process by breaking up identical purchases to ensure the purchases fall under the small purchase threshold. Remember, it is up to the SFA Director to ensure that the total amount of the purchase will be under \$15,000.

The Small Purchase Method requires the SFA to obtain at least three quotes. One of the quotes can be the State Contract.

Purchase Orders – Charge Accounts

Purchase orders and charge accounts cannot be used as a reason to purchase from only one vendor!



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Purchase orders and charge accounts cannot be used as a reason to purchase from only one vendor. This would be considered circumventing the procurement process.

Benefits of Micro Purchase

- Districts can react quickly to change markets and urgent needs
- Helpful for small SFAs
- Can be used for purchasing local products if cost does not exceed \$15,000 (\$30,000 for SFAs who self-certify)



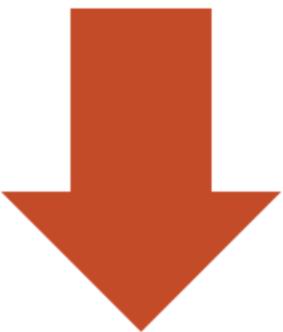
72

Micro purchasing allows districts to react quickly to changing markets and urgent needs. It is also useful to smaller districts where purchases may fall under \$15,000 for each occurrence. Before contacting a supplier to make a purchase, districts should perform market research to understand what a reasonable price for the product is.

Districts may choose to self-certify, annually, to the increased micro purchase threshold of \$30,000. If chosen, the SFA will have to retain all documentation it uses to self-certify, and the documentation should be readily available for review by regulatory auditors, State and/or federal agencies.

Micro purchases may be especially useful when purchasing local products. For example, a district is committed to purchasing a variety of products seasonally and has built flexibility into its menu to enable the district to purchase small quantities of produce when local farmers might have a surplus.

Micro Purchases



$\leq \$15,000$ (or)
 $\leq \$30,000^*$

*See [2 CFR 200.320\(a\)\(1\)\(iv\)](#)



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When planning purchases, the first question to ask yourself about micro purchases is whether each transaction will be \$15,000 or below. If it will not be \$15,000 each or below, or if the total for all like items shall equal the small purchase threshold, then the SFA should receive quotes instead of procuring through micro purchase.

- The sponsor can increase to the state maximum micro purchase threshold of up to \$30,000. However, the sponsor has to self-certify on an annual basis and must maintain documentation to be made available to the State agency and/or Federal Agencies upon request [2 CFR 200.320\(a\)\(1\)\(iv\)](#).
- As mentioned previously, the self-certification verification requirement has now been added to the annual NSLP application. Sponsors should ensure that all required documentation is in order and available prior to submitting the annual NSLP application for approval.

Micro-Purchase Higher Threshold Certification

- SFAs are able to establish a threshold higher than the micro-purchase threshold identified in the FAR (\$15,000). [2 CFR 200.320\(a\)\(1\)](#)
- In the State of Louisiana, the micro-purchase threshold is a single transaction of \$30,000 or less.
- The SFA must self-certify a threshold up to \$30,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with [2 CFR 200.334](#)
- The verification of self-certification is included in the NSLP Annual Application.

The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

- A qualification as a low-risk auditee, in accordance with the criteria in 200.520 for the most recent audit;
- An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
- For public institutions, a higher threshold consistent with State Law.

[USDA Memo SP 02-2022](#)



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SFAs are able to establish a threshold higher than the micro-purchase threshold identified in the FAR (\$15,000). [2 CFR 200.320\(a\)\(1\)](#).

In the State of Louisiana, the micro-purchase threshold is a single transaction of \$30,000 or less.

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The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

- A qualification as a low-risk auditee, in accordance with the criteria in 200.520 for the most recent audit;
- An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,
- For public institutions, a higher threshold consistent with State Law.

Micro Purchases

Are prices reasonable?

Would a prudent person pay the same price?

Conduct Market Research

Note: The Buy American requirement also applies to Micro Purchases



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The second question is: Are the prices reasonable?

- We don't have clear cut guidelines for what is "reasonable". The question, "Would a prudent person pay the same price as the SFA paid?" can be used to determine if the price is reasonable. For example, is \$10 for a loaf of bread "reasonable?" Of course not.
- The SFA should be doing some market research before purchasing to see what is reasonable. This step must be taken to make sure the purchase is below the \$15,000 threshold (\$30,000 if the SFA self-certifies annually). It is advisable to maintain documentation of your research.
- Market research could include things like listing stores in the area with the types of products they have available, looking through local circulars, and looking on the internet for price comparisons.

Micro Purchases

Review of invoices/receipts shows the SFA is compliant with the micro purchase method.



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The final question is, based on a review of the invoices and receipts, is the SFA compliant with the use of the micro-purchase method?

- You can determine this by looking at the invoices and receipts and determining if the purchases were $\leq \$15,000$ ($\$30,000$ if the SFA self-certifies annually). Did the purchases seem reasonable? Were the purchases spread equitably among vendors?
- Micro purchase findings are amongst the highest number of findings during an audit due to SFAs misunderstanding of its use. Micro purchases are per occurrence, but if the SFA knows they will purchase milk every week from ABC Milk, Inc. for $\$9,800$, then micro purchase is not the way to go. If there are 30 weeks in the school year and the SFA spends $\$9,800$ per week with one milk producer, the SFA will have spent $\$294,000$ for the entire year with one company on milk. The SFA should have created a formal solicitation to formally procure milk, or obtained quotes for milk once per month to spread the wealth around.
- A better use of the Micro purchase method would be if the school is having a themed day. The cafeteria manager would like the day's menu to reflect the theme. The cafeteria workers go out and purchase food and supplies to prepare meals that go with the theme of the school day. Although three of the four purchases were $\$15,000$ per occurrence, the purchases were at different stores and spent on different products to make a successful themed breakfast and lunch for the entire school to enjoy. The SFA did not go over the micro purchase threshold for each occurrence, and also "spread the wealth" amongst qualified suppliers by using different stores to purchase goods.
- An exception to spreading the wealth would be when the SFA or site is in a small town that has only one grocery store and the next closest grocery store is 30 miles away. If this is the case, it should be reflected in the procurement plan.

Activity Time



Let's do an activity!

Compliant?

1. SFA purchased \$280 in food & supplies from Walmart in August
2. In September, \$120 in food & supplies was purchased from Dollar General
3. In October purchased \$15 from Walmart and \$35 from Dollar General



Let's look at some Micro purchases to see if they are compliant.

An SFA purchased \$280 in food & supplies from Walmart in August

In September, they purchased \$120 in food & supplies from Dollar General

In October they purchased \$15 from Walmart and \$35 from Dollar General

Would this be compliant?

Compliant?

Yes - the SFA spread the wealth!



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Yes - the SFA spread the wealth

Compliant?

One purchase for printing applications for
\$2,354.78

No other printing services during the year



80

The SFA made one purchase for printing applications for \$2,354.78

There was no other printing purchase during the year.

Would this be compliant?

Compliant?

Yes - the SFA only purchased printing supplies once.



81

Yes. There was only one purchase. If printing services had been needed later in the year, a different vendor would need to be used to share the wealth.

Compliant?

SFA purchased repair parts 1 time from Ace Hardware for a total of \$122.

SFA purchased repair parts 11 times from Chandler's Parts for a total of \$1,456.



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The SFA purchased repair parts 1 time from Ace Hardware for a total of \$122.

The SFA purchased repair parts 11 times from Chandler's parts for a total of \$1,456.

Would this be compliant?

Compliant?

No-the SFA did not spread the wealth equitably



83

No. The SFA did not spread the wealth equitably. The SFA purchased from two vendors but purchased one time from one vendor and eleven times from the other. The SFA did not spread the wealth in the number of purchases or the value of purchases.

Compliant?

There are only 3 stores in a small town.

*Store A 20 purchases \$1,098

*Store B 12 purchases \$1,456

*Store C 6 purchases \$1,657



There are only 3 stores in a small town

- The SFA had 20 purchases from Store A for a total of \$1,098.00
- At Store B, there were 12 purchases for a total of \$1,456
- The SFA made 6 purchases at Store C for \$1,657

Would this be compliant?

Compliant?

Yes - the SFA spread the wealth!



85

Yes - the SFA spread the wealth!

Small Purchase Procurement



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Now we are going to review small purchase procurement. This gets more complicated because the thresholds are different depending on the type of SFA and limits imposed by the state of Louisiana and your local SFA.

As of October 1, 2025, 48 CFR 2.101 shows the simplified acquisition threshold (small purchase threshold) increased from \$250,000 to \$350,000.

In Louisiana, remember that the small purchase threshold of \$350,000 is for charter schools only.

For all other SFAs, the State of Louisiana small purchase threshold is \$60,000. Each SFA has to find out from their administration what their small purchase threshold is. This amount can vary by local agency. However, the municipal small purchase threshold should be listed in each sponsor's current procurement plan.

No sponsor should find out their municipality's small purchase threshold during a State Procurement Review. It is the sponsor's responsibility to know its district's procurement policies and thoughtfully enter them into the district's procurement plan for the current program year.

Requirements of a Small Purchase Procurement

Written Specifications

Clear and accurate descriptions of the technical requirements

Buy American language must be included



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Small purchase procurements are typically called “quotes”. When doing a small purchase procurement, the SFA must provide potential vendors with written specifications.

There must be clear and accurate descriptions of the technical requirements. This could be delivery dates, times, etc.

When purchasing unprocessed agricultural products, or local agricultural products [7 CFR 210.21(g)], the Buy American requirements also apply 7 CFR 210.21(d) and must be included in all procurement procedures, solicitations, and contracts.

Local Procurement



State Small Purchase threshold waived



Quotes can be used



<\$350,000



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While on the subject of local procurement, let's discuss how it applies to small purchase procurement in Louisiana.

- The State of Louisiana has waived the State Small Purchase Threshold when purchasing local agricultural products. See L.R.S. 17:194.D
 - Local agricultural products refer to meat, poultry, eggs, dairy, and seafood procured from local farmers, fishermen, or other producers that are unprocessed.

The Federal Threshold for Small Quotes may be used when procuring local agricultural products for contracts valued at less than \$350,000. All SFAs are allowed to utilize the federal simplified acquisition threshold of \$350,000, only when procuring local agricultural products. All other aspects of the procurement must comply with 2 CFR 200.319(b).

Local agricultural products refer to meat, poultry, eggs, dairy, and seafood procured from local farmers, fishermen, or other producers that are unprocessed.

Be mindful, if the SFA wants to combine procurement with canned goods, frozen foods, etc., the small purchase threshold is not waived for those procurements. In order to utilize the federal SAT, the solicitation must only include procurement of local agricultural products.

- Federal regulations have recently expanded the definition of what is considered local procurement, and how it can be procured.
- Now sponsors may apply geographic preference to solicitations when procuring unprocessed locally grown or locally raised agricultural products, including the use of the terms "locally grown", "locally raised", or "locally caught" as procurement specifications. Sponsors can also use the phrases as selection criteria for unprocessed or minimally processed food items. 7 CFR 210.21(g)
- It is up to the sponsor to determine the local area to which the geographic preference shall apply. Sponsors who receive local food grants through USDA, LA Department of Agriculture, or other means, shall review the grant requirements to determine geographic preference parameters. It is up to the sponsor and the sponsor's legal department to ensure compliance with all grant procurement procedures.

Local Procurement



<https://www.fns.usda.gov/f2s/procuring-local-foods>



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Across the country, an increasing number of Child Nutrition Program operators are sourcing local food and providing complimentary educational activities that emphasizes food, nutrition, and agriculture.

Some of the benefits of doing this are:

- Supporting the local community
- Lower school meal program costs
- Increased meal participation
- Reduced food waste

Some great resources for helping you navigate the procurement of local foods are available on the Farm to School website's resources page.

- The website is www.fns.usda.gov/cfs

We suggest keeping a printout or saving a copy to your desktop of the Procuring Local Foods for Child Nutrition Programs guide.

This guide helps navigate the procurement rules correctly. It includes menu planning basics, fundamental principles of procurement, several potential sources of local products, and a variety of ways to procure the products.

Small Purchase: Solicitations

- USDA requires quotes be obtained from 2 or more sources
- Louisiana Revised Statute requires 3 documented quotes for purchases between \$30,000 and \$60,000.
- The State Contract can be one of the quotes, but cannot be the only quote for small purchase solicitation. (See hyperlinked references below.)

[L.R.S. 38:2212.1\(F\)](#)

[LLA Public Bid Law Q58](#)



USDA requires quotes be obtained from at least 2 sources. Louisiana Revised Statute 38:2212.1(A)(1)(b) states that 3 documented quotes are required for purchases between \$30,000 and \$60,000.

So which do we follow? We must always follow the stricter regulation/statute so 3 documented quotes are required.

As mentioned prior, if the sponsor chooses to utilize the State Contract, the sponsor must be aware that using the State Contract is only a tool in the procurement tool belt. The sponsor cannot just purchase from the State Contract without following proper procurement requirements.

The hyperlinks to the LA Revised Statutes and Public Bid Law are included on the slide.

Evaluation of Small Purchase Procurements



Did the SFA restrict competition?

Were specifications (crystal) clear?

Was Buy American followed?

Were adequate records maintained?



During a procurement review, the reviewer must make a determination as to whether the SFA restricted competition by:

- 1) Placing unreasonable requirements on the firm. This could include requiring that the company be located in the parish or state or currently have 15 contracts with other school districts.
- 2) Requiring unnecessary experience or excessive bonding, such as requiring 25 years of Food Service experience; and
- 3) Specifying a brand name
- 4) Purchasing from the State Contract without ever reviewing any other quotes.

They must also determine if the technical requirements for the product or services were crystal clear and accurate.

Solicitations should include specifications in which the SFA articulates their needs.

This description may include a statement of the qualitative nature of the material, product or service to be procured.

The description should not be overly detailed as to restrict competition.

You need to be careful here to balance against making sure the SFA gets what they need and avoiding restricting competition.

Does the solicitation include a requirement that food products must be produced and processed in the United States at the greatest extent possible, if applicable.

Were adequate records maintained that provide a history of the procurement. This history must include detailed records of any products purchased that are not produced or processed totally in the United States.

Evaluation of Small Purchase Procurements



Record Maintenance

Correct Vendor Selected



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SFAs maintaining records sufficient to detail the significant history of the procurement has been a finding on multiple Administrative Reviews in previous years.

The correct vendor should be selected based on the products/services requested and the vendor responses provided.

If the State Contract was the cheapest vendor, the SFA should request and retain all records sufficient enough to detail the history of the procurement, for the purposes of accountability during a procurement review.

Evaluation of Small Purchase Procurements



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The reviewer will audit invoices and receipts to ensure the SFA purchased the products that were solicited from the vendor and that they paid the price that was in the bid.

Activity Time



Let's do an activity!

Compliant?

A small purchase of \$30,500 is required.

One quote was obtained and printed from Amazon.



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Is this compliant?

The SFA obtained and printed a price quote from Amazon for a small purchase that exceeds \$30,000.

Compliant?

No - 3 quotes were needed



96

No. 3 quotes were needed

Compliant?

One quote obtained from the only local company providing the service



97

Is this compliant?

One quote was obtained from the only local company providing the service.

Compliant?

It depends

In this instance, it is best for the SFA to request approval for noncompetitive procurement.

This will ensure the SFA is compliant with procurement regulations.



98

It depends-how far away is the next closest company? Is it possible that they could compete with the local company despite being some distance away?

In this instance, it is best that the sponsor request noncompetitive procurement approval, to ensure compliance with procurement regulations.

Compliant

Three quotes requested on a Garland ES-10-S Master Series Convection Oven



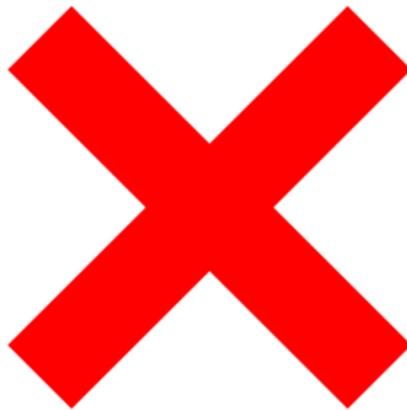
99

Is this compliant?

Three quotes were requested on a Garland ES-10-S Master Series Convection Oven.

Compliant?

No - Brand Name was specified with no equal or pre-approved equal allowed



No - a specific brand name was requested without allowing an equal product's specifications to be reviewed for possible acceptance.

Compliant?

The Buy American Certification Form was not provided as required with a quote for produce



Is this compliant?

The Buy American Certification Form was not provided as required with a quote for produce.

Compliant?

No – The vendor would be considered non-responsive. The only deviation of the requirement is if all the vendor's exceptions are listed on the FAR. If even one exception is not listed on the FAR or is due to cost of products being more expensive in the U.S. than non-domestically, the Buy American Certificate must be submitted.



No – The vendor would be considered non-responsive as they did not provide required information along with their quote. The only deviation of this requirement would be if all of the vendor's exceptions are listed on the FAR. If all products are listed on the FAR, the SFA/Sponsor is only required to track the products and not retain documentation. However, if the vendor has even one exception that is not listed on the FAR or is due to the product cost being higher domestically than non-domestically, the Buy American Certification form must be completed and submitted with the quote to be considered responsive.

Formal Procurement

2026

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We are going to discuss in detail how to use the Formal Procurement Method for procuring goods and services.

Cost/Price Analysis

2 CFR 200.324

Cost/Price
Analysis



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Before we select one of the methods, regulations include a requirement that a cost analysis be conducted. This is done so that we can determine which procurement method must be used and select the contract type that will result.

According to 2 CFR Part 200.324, Program operators must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold. This includes contract modifications. The method and degree of analysis is based on the individual procurement, but as a starting point, the SFA must make independent estimates before receiving bids or proposals.

This means every procurement estimated OVER \$60,000 including contract modifications, must include a cost estimate. Prior year cost records can be used to show the value of purchases for these products or services. USDA strongly recommends that the cost estimate be included in the solicitation. A statement can be included in the Scope of Services that "In the prior year the Program spent "X" dollars for the goods and/or services identified in this solicitation. This gives the potential vendor the knowledge of how much the contract is worth and will it be advantageous for them to bid on your IFB or RFP.

Cost/Price Analysis

- Cost/Price analyses do not have to be complicated.
 - The SFA can total invoices from the prior school year.
 - The SFA can utilize the Income and Expense Report submitted to LDOE annually.
 - The SFA can request totals from the previous year's vendors.



Cost/Price analyses do not have to be complicated. The SFA has several options to complete a cost/price analysis.

- The SFA can total all invoices for goods received during the prior school year to create a cost/price analysis.
- The SFA can use the Income and Expense report, submitted to LDOE annually, to establish a cost/price analysis for goods and/or services.
- The SFA can contact vendors and request totals spent with each vendor for the previous year. Those totals can be used as a cost/price analysis for certain goods/services solicitations.
- You can work with your business office, they can print you a report that shows expenditures spent per vendor last year.

The SFA should consider inflation when completing cost/price analyses. Consider using the current CPI index for Food Away From Home to account for price increases, when completing cost/price analyses.

Although Federal regulations require cost/price analysis only for formal procurement, it is recommended that SFAs complete a cost/price analysis for all procurement. It is important for sponsors to know how much they are spending on procuring items, to ensure the correct procurement method is utilized.

Select the Appropriate Method



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When the value of the purchase is expected to be above the simplified acquisition threshold which is \$60,000 (\$350,00 For charter schools), the SFA should use one of the following:

Both of these are formal procurement methods. Formal procurement methods are competitive and require public notice.

We will be talking about Competitive Sealed Bidding, commonly called an Invitation for Bid or IFB or a Competitive Proposal, commonly called a Request for Proposal or RFP.

What is Competitive Sealed Bidding (IFB)?

Bids that are publicly solicited. A firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitations for bid, is the lowest in price.

[2 CFR 200.320\(b\)\(1\)](#)



Competitive sealed bidding procedures use an Invitation for Bid. These are publicly solicited and a firm, fixed-price contract is awarded. There may be one contract awarded to the most responsive and responsible bidder that has the lowest overall price or multiple awards may be made if the SFA states in the IFB that awards may be made to multiple bidders based on unit price by item or group of items.

When is an IFB Used?

- Complete, adequate, and realistic specifications
- Three or more responsible bidders
- Firm fixed price contract



One would use an IFB when there is a complete set of specifications of products and services, there are 3 or more responsible bidders willing to respond, and a firm fixed price contract is awarded.

We saw in the last slide, bids may be awarded based on a lump sum price to one bidder, a line item award based on the unit prices that is awarded to multiple bidders, or a combination award to multiple bidders based on items that are grouped. The key is that bids are awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

The sealed bid method or IFB is the preferred method when there are not a lot of complex technical factors. These contracts are awarded based on price. The following conditions should be present in order for an IFB to be feasible:

- (i) A complete, adequate, and realistic specification or purchase description is available and
- (ii) Three or more responsible bidders are willing and able to compete effectively for the business.

The procurement lends itself to a firm fixed price contract

What is a Competitive Proposal (RFP)?

- Includes technical and cost factors
- Multiple sources submit offers
- Results in a fixed price or cost reimbursable contract

2 CFR 200.320(b)(2)



Now let's look at the Competitive Proposal or RFP.

A Competitive Proposal or a request for proposal are used when conditions are not appropriate for using sealed bids. This procurement method may result in either a fixed-price or cost-reimbursement contract. Requests for proposals require public notice, and all evaluation factors and their relative importance must be identified.

This contract can either be a fixed price contract or a cost-reimbursable contract.

Components of an RFP



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When using an RFP, proposals must be solicited from an adequate number of qualified sources and have written procedures for conducting technical evaluations and making selections. What is a technical evaluation? It describes how technical and cost factors will be considered in making the final determination for the purchase of goods and services. RFP's must be awarded to the responsible offeror whose proposal is most advantageous to the SFA considering price and other factors;

Some examples of Key elements in scoring criteria are cost, quality, experience, compliance, and technical capabilities

Awarding Contracts Using a RFP

Contracts must be awarded to the responsible vendor whose proposal is most advantageous to the program, with price and other factors considered.



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Contracts must be awarded to the responsible vendor whose proposal is most advantageous to the program, with price and other factors considered. However, price has to be the highest rated criterion in the list of criteria.

The SFA may use an RFP for qualification-based procurement of professional services where the competitors' qualifications are evaluated and the most qualified competitor is selected. Examples where an RFP would be appropriate are pest control services, consulting services, and commodity processing.

Activity Time



IFB or RFP?

ABC Elementary is procuring frozen foods, canned goods, milk, fruits and vegetables for the upcoming school year. The SFA needs goods delivered three times per week, at specific hours. The SFA also requires the selected vendor to have 10 years experience in child nutrition and provide proof of financial viability. The SFA will use these criteria to determine which vendor receives the award, with price being the heaviest weighted criterion.

Should the SFA use IFB or RFP to solicit vendors?



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Which procurement method is a better fit for the SFA's procurement situation?

ABC Elementary is procuring frozen foods, canned goods, milk, fruits and vegetables for the upcoming school year. The SFA needs goods delivered three times per week, at specific hours. The SFA also requires the selected vendor to have 10 years experience in child nutrition and provide proof of financial viability. The SFA will use these criteria to determine which vendor receives the award, with price being the heaviest weighted criterion.

Should the SFA use IFB or RFP to solicit vendors?

IFB or RFP?

If you said RFP, you are correct!

If the SFA is using criteria to evaluate submitted responses, the SFA must use the Request for Proposals option to solicit proposals.

Invitation For Bids should only be used when price is the only factor used to award bids.



If you said RFP, you are correct!

If the SFA is using criteria to evaluate submitted responses, the SFA must use the Request for Proposals option to solicit proposals.

Invitation For Bids should only be used when price is the only criterion used to award bids.

Provisions for Formal Contracts



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Provisions for Formal Contracts

Buy American Provision

- Required for Fixed Price and Cost Reimbursable Contracts
- Must purchase domestic commodity products produced in the US using domestic commodity products to the maximum extent possible,

7 CFR Part 210.21(d)



The Buy American provision found in 7 CFR Part 210.21(d) is required for both fixed price and cost-reimbursable contracts. The Buy American Provision requires SFAs to purchase domestic commodity products to the maximum extent possible. These products must be produced and processed in the US using agricultural commodities that are produced in the US.

According to 7 CFR 210.21(d)(3) – SFAs must include language requiring the purchase of foods that meet the Buy American requirements in all procurement procedures, solicitations, and contracts.

This applies to SFAs located in the contiguous United States which must purchase domestic commodities or products for the NSLP and SBP.

Buy American Certification Form

BUY AMERICAN PROVISION CERTIFICATION FORM FOR FOOD PURCHASES

SFA/Sponsor Name

The Buy American Provision [7 CFR Part 210.21\(d\)](#) requires School Food Authorities to purchase, to the maximum extent practical, domestically grown and processed foods. "Domestic" is defined as a product that is grown in the United States, or with processed food items, the product must be processed in the United States of food that is produced and grown domestically in the United States. Any product processed by a responsive vendor must contain over 51% of the food component, by weight or volume, from U.S. origin. The Buy American Provision [7 CFR Part 210.21\(d\)\(5\)](#) also requires SFA-Sponsors to track total food product purchases to ensure non-domestic food purchases do not exceed the established total annual commercial food cost caps (SY25-26 – 10%; SY28-29 – 8%; SY31-32 – 5%).

The vendor must include all component items proposed by the company that do not meet the definition of "domestic". This document must be included as a part of the quote. This document is provided in Microsoft Word format so the vendor may add additional food items.

VENDORS MUST CERTIFY EITHER: (CHECK NUMBER 1 OR 2)

<input type="checkbox"/>	1. I certify that all food products proposed by my company are 100% produced in the U.S. or processed in the U.S. with the final processed product including over 51% of food that was grown in the U.S.
<input type="checkbox"/>	2. I certify that all food products proposed by my company are 100% produced in the U.S. or processed in the U.S. with the final processed product including over 51% of food that was grown in the U.S. with the EXCEPTION of the following items listed below

NAME OF FOOD ITEM	COMPLETE BELOW AND CHECK THE APPROPRIATE REASON THE NON-DOMESTIC PRODUCT IS PROPOSED FOR EACH ITEM.
Click or tap here to enter text.	<p>This product includes <input type="checkbox"/> % U.S. Content. The product is <input type="checkbox"/> grown in <input type="checkbox"/> the U.S. <input type="checkbox"/> The product is listed in the FAR at 48 CFR 25.104 and/or is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality. <input type="checkbox"/> OR <input type="checkbox"/> The cost of the U.S. product is significantly higher than the non-domestic product. List prices and unit pack size below for item to be considered: \$ <input type="checkbox"/> Price of Domestic or U.S. Grown Product Per Unit \$ <input type="checkbox"/> Price of Price of Non-Domestic Product Per Unit</p>



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- The State agency requires all procurements involving the purchase of agricultural products to include the Buy American Certification Form in the procurement document. Each vendor must include the completed Buy American Certification form along with their bid/proposal. A bid/proposal that does not include the form should be considered non-responsive. By completing and signing the Buy American Form, the vendor is certifying that a product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of satisfactory quality or the vendor has provided sufficient documentation for the SFA to determine whether or not the cost of the US product is significantly higher than the non-domestic product.
- The only deviation to this requirement would be if all the vendor's exceptions are listed on the FAR. As listed in [7 CFR 210.21\(d\)\(5\)\(iii\)](#), if all the exceptions are listed on the FAR, SFAs are only required to track the items and not keep documentation of the exceptions.
- However, if even one of the vendor's exceptions is due to the cost of the US product being significantly higher than the non-domestic product, the Buy American Certification form is required for the vendor to be considered responsive.

Buy American Exceptions

Exceptions to the Buy American provision should be used as a last resort; however, an alternative or exception may be approved upon request.

To be considered for the alternative or exception, the request must be submitted in writing to a designated official, a minimum of 14 days in advance of delivery.

The request must include the:

1. Price of the domestic food alternative substitute
2. Availability of domestic alternative substitute and quantity
3. Reason for exception: the product is listed in the FAR and/or is limited/lacks availability **or** price is significantly higher in the U.S. (price must be included)
4. Prices must include:

Price of the domestic food product; and

Price of the non-domestic product that meets the required specification of the domestic product



Exceptions to the Buy American provision should be used as a last resort; however, an alternative or exception may be approved upon request. To be considered for the alternative or exception, the request must be submitted in writing to a designated official, a minimum of 14 days in advance of delivery. The request must include the:

1. Price of the domestic food alternative substitute
2. Availability of domestic alternative substitute and quantity
3. Reason for exception: the product is either listed in the FAR and/or is limited/lacks availability or price is significantly higher in the U.S. than for the non-domestic product (price must be included)
4. Prices must include:
 - a. Price of the domestic food product; and
 - b. Price of the non-domestic product that meets the required specification of the domestic product.

Buy American Exceptions

Limited Exceptions to the Buy American Requirement - [7 CFR 210.21\(d\)\(5\)](#)

1. The product is listed on the Federal Acquisitions Regulations Non-available articles list found at [48 CFR 25.104](#) and/or is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or
2. Competitive bids reveal the costs of a U.S. product is significantly higher than the non-domestic product.
3. Non-domestic food purchases (those that do not meet the definition of domestic commodity or product, as defined above) – by July 1, 2025, non-domestic food purchases must not exceed ten (10) percent of total annual commercial food costs that a SFA purchases per school year. [7 CFR 210.21\(d\)\(5\)\(ii\)\(A\)](#).
4. SFAs must maintain documentation, except when the item purchased is found on the FAR Non-available Articles List, when using the Buy American Exception.
5. SFAs must maintain documentation, to demonstrate that when using a Buy American Exception, their non-domestic food purchases do not exceed the annual threshold specified in #3 listed above. See the available USDA [Exceptions Tracking Standard Form](#) for use complying with the ten percent total annual commercial food cost purchases.



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The regulations have changed concerning the Buy American provision. The regulation for Exceptions to the Buy American Requirement can be found in [7 CFR 210.21\(d\)\(5\)](#)

Remember when the exceptions were for cost of the product and availability. Well now these are the two exceptions

1. The product is listed on the Federal Acquisitions Regulations Non-available articles list found at [48 CFR 25.104](#) and/or is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or
2. Competitive bids reveal the costs of a U.S. product is significantly higher than the non-domestic product.

There is now a tracking requirement of non domestic food purchases.

- Beginning July 1, 2025, Non-domestic food purchases (those that do not meet the definition of domestic commodity or product, as defined above) must not exceed ten (10) percent of total annual commercial food costs that a SFA purchases per school year. [7 CFR 210.21\(d\)\(5\)\(ii\)\(A\)](#).
- SFAs must maintain documentation, except when the item purchased is found on the FAR Non-available Articles List, when using the Buy American Exception.

SFAs must now maintain documentation, to demonstrate that when using a Buy American Exception, their non-domestic food purchases do not exceed the annual threshold specified in #3 listed above. See the available USDA [Exceptions Tracking Standard Form](#) for use complying with the ten percent total annual commercial food cost purchases.

(a) If the SFA is unable to comply with the Buy American Exceptions tracking during SY2025-26, the SFA should complete the Buy American Accommodation Request form. The form can be found on the CNP website.

Harvested Fish under Buy American Requirement – [7 CFR 210.21\(d\)\(6\)](#)

1. To meet the definition of a domestic commodity or product, harvested fish must meet the following requirements:
 - a. Farmed fish must be harvested within the U.S. or any territory or possession of the US, and
 - b. Wild caught fish must be harvested within the Exclusive Economic Zone of the US or by a US flagged vessel.

Buy American Provision Changes

- SFAs should be mindful of Buy American requirements when conducting formal procurement.
- Buy American Provision Certification Forms are required when conducting both formal and informal procurement. (See the [Buy American](#) factsheet)
- SFAs should address Buy American provision requirements in their procurement plan. The SFA should also create procedures for tracking non-domestic purchases to ensure compliance with the final rule.
- SFAs that cannot meet the enacted SY2025-26 non-domestic purchase cap of 10% can receive a temporary accommodation from the State agency.



There have been changes to Buy American Provisions that SFAs should also address in their respective procurement plans. The Buy American Provisions Related to the Final Rule – CNP Meal Patterns Consistent with the 2020-25 Dietary Guidelines for Americans (DGAs) has implemented a cap on non-domestic food purchases annually. (<https://fns-prod.azureedge.us/sites/default/files/resource-files/SP23-2024os.pdf>)

The hyperlink for the Buy American Factsheet is listed on the slide. (https://fns-prod.azureedge.us/sites/default/files/resource-files/FactSheet_BuyAmerican.pdf)

SFAs should address Buy American provision requirements in their procurement plan. The SFA should also create procedures for tracking non-domestic purchases to ensure compliance with the final rule.

- All non-domestic food purchases must be tracked throughout the year to ensure that purchases do not exceed the food purchasing cap.
 - Purchases can be tracked on the Buy American Exceptions Tracking Standard Form Template. (<https://www.fns.usda.gov/sites/default/files/resource-files/SP23-2024a.xlsx>)
 - SFAs can request an accommodation if they are unable to meet the Buy American Provision requirements to cap non-domestic food purchases to 10 percent. The form is located on the CNP website and should be submitted to the CNP general email address. See 7 CFR 210.21(d)(8)
 - If you cannot meet the cap requirements and have not yet requested an accommodation, go to the CNP website and submit the Buy American SFA Accommodation Plan.

Buy American Cap on Non-Domestic Food Purchases

The limit on the percent of total commercial food costs from non-domestic foods will be phased in over 7 school years.

SY2025-26 through SY2027-28, the non-domestic food purchasing cap is 10%
SY2028-29 through SY2030-31, the non-domestic food purchasing cap will be 8%
SY2031-32 on, the non-domestic food purchasing cap will be 5%

Non-domestic food purchases must not exceed 10 percent of total annual commercial food costs as outlined in 7 CFR 210.21(d)(5)(ii)(A) and 7 CFR 220.16(d)(5)(ii)(A).



USDA established in regulations a new threshold for school food authorities that use exceptions. The limit on the percent of total commercial food costs from non-domestic foods will be phased in over 7 school years. This phased-in approach will allow schools to gradually adjust to the new requirement and will allow USDA to continue to collect data on use of the Buy American exceptions.

SY2025-26 through SY2027-28, the non-domestic food purchasing cap is 10%
SY2028-29 through SY2030-31, the non-domestic food purchasing cap will be 8%
SY2031-32 on, the non-domestic food purchasing cap will be 5%

Non-domestic food purchases must not exceed 10 percent of total annual commercial food costs as outlined in 7 CFR 210.21(d)(5)(ii)(A) and 7 CFR 220.16(d)(5)(ii)(A).

Buy American Exceptions Tracking Standard Form Template

Buy American Exceptions Tracking Standard Form Template

(USDA website - Under Resource Materials)

- Optional template that School Food Authorities can use to document the use of exceptions to purchase non-domestic foods under the Buy American provision
- Purpose of this form is to track both the exceptions and costs related to non-domestic product purchases
- SFAs can input data related to non-domestic product costs in the Exceptions Tracker tab
- Exceptions Summary tab will help the SFA calculate its percentage of costs from non-domestic products within a specified time frame



The Exceptions Tracking Standard Form is an optional template that school food authorities can use to document the use of exceptions to purchase non-domestic foods under the Buy American provision.

The link on this slide will take you to the USDA website where you can find the tracking form which is under the resources materials.

The Buy American Exceptions Tacking Standards Form template has been added to the CNP website.

The purpose of this form is to track both the exceptions and costs related to non-domestic product purchases.

School food authorities can input data related to non-domestic product costs in the Exceptions Tracker tab, and the Exceptions Summary tab will help the school food authority calculate its percentage of costs from non-domestic products within a specified time frame.

Buy American Exceptions Tracking Standard Form

INVOICE NUMBER	INVOICE DATE	SOURCE	PRODUCT DESCRIPTION	FOOD COMPONENT	NON-DOMESTIC	EXCEPTION TYPE	UNIT	PRICE PER UNIT	NUMBER OF UNITS	TOTAL AMOUNT
If relevant	(MM/DD/YYYY)	What is the origin of the invoice?	(e.g., lettuce mix, applesauce, whole wheat rolls, ground beef, etc.)	Select the most appropriate food component label for the product purchased.	Was this product produced in one of the 50 states, the District of Columbia, Puerto Rico, or any U.S. territory? If not, confirm by selecting "Non-domestic".	Exception 1. The product is listed on the Federal Articles Regulations Nonavailable articles list found at 48 CFR 25.104 and/or is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality.	Optional (e.g., case, dozen, pound, bunch)	Optional	Optional	Enter the total cost for this line.
1200AT6B	8/15/2025	Fresh Food Hub	Tomatoes, diced, #10	Vegetables	Non-domestic	Exception 2	Case	\$ 40.00	25	\$ 1,000.00
1450AT6B	8/20/2025	Star Food	Bananas, whole, fresh	Fruits	Non-domestic	Exception 1. Listed on the Nonavailable articles list	N/A	\$ -	N/A	\$ 300.00
							\$ -	\$ -	\$ -	\$ -
							\$ -	\$ -	\$ -	\$ -
							\$ -	\$ -	\$ -	\$ -
							\$ -	\$ -	\$ -	\$ -
							\$ -	\$ -	\$ -	\$ -

Buy American Exceptions Summary

Total Non-domestic Costs	\$ <input type="text" value="0.00"/>	.00
		This will be automatically calculated.
Total Annual Commercial Food Costs	<input type="text"/>	
Please enter the SPA's total annual commercial food costs here		
Percentage of Commercial Food Costs from Non-domestic Foods	<input type="text"/>	
		#DIV/0!
This field will highlight green, yellow, or red depending on the percentage calculated.		



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Here is a snippet of the Buy American Exceptions Tracking Standard Form

The first tab is the Overview of the Buy American Exception Tracking Standard Form. The Exceptions Tracker tab is a spreadsheet that has some cells that have some required cells and some cell that auto calculate. This is where you enter in all of the non-domestic products.

The Exceptions Summary Tab calculates the percentage of commercial food costs from non-domestic foods based on the data inputted into the Exceptions Tracker.

Buy American Exception Documentation and Reporting Requirements

SFAs must document the use of exceptions to purchase non-domestic products and must be able to produce this documentation as needed.

SFAs do not need pre-approval or a waiver from the State or FNS to use an exception under the Buy American provision.

When SFAs purchase a product found on the FAR 25.104 Nonavailable articles list, this must be included on the tracker for the purpose of accurately tracking total non-domestic costs.

However, when a school food authority purchases a food item found on the FAR 25.104 Nonavailable articles list, no further documentation is required.



SFAs must document the use of exceptions to purchase non-domestic products and must be able to produce this documentation as needed.

SFAs do not need pre-approval or a waiver from the State or FNS to use an exception under the Buy American provision.

When SFAs purchase a product found on the FAR 25.104 Nonavailable articles list, this must be included on the tracker for the purpose of accurately tracking total non-domestic costs.

However, when a school food authority purchases a food item found on the FAR 25.104 Nonavailable articles list, no further documentation is required.

Buy American Accommodation Process for School Year 2025-2026

- Refer to USDA Memo [SP 09-2025](#) Buy American Accommodation Process for School Year 2025-2026
- SFAs seeking a temporary accommodation from the Buy American threshold requirement should complete and submit to their State agency the “SFA Accommodation Plan SY 2025-26” attached in the memo
- State agencies must report to their USDA regional offices on a quarterly basis the total number of accommodations requested, the total number approved, and the types of non-domestic food products purchased by SFAs requesting the accommodation
- State agency will provide technical assistance to SFAs to support the temporary accommodation as SFAs demonstrate they are unable to meet the requirement
- We have not received guidance from USDA regarding school year 2026-2027



Refer to USDA Memo SP 09-2025 Buy American Accommodation Process for School Year 2025-2026. We have not received guidance from USDA regarding school year 2026-2027.

SFAs seeking a temporary accommodation from the Buy American threshold requirement should complete and submit to their state agency the “SFA Accommodation Plan SY 2025-26” attached in the memo

State agencies must report to their USDA regional offices on a quarterly basis the total number of accommodations requested, the total number approved, and the types of non-domestic food products purchased by SFAs requesting the accommodation.

State Agency will provide technical assistance to SFAs to support the temporary accommodation as SFAs demonstrate they are unable to meet the requirement.

SFA Accommodation Plan

Submit form to
ChildNutritionPrograms@LA.GOV

LDOE will notify the SFA in writing if approved.

State agency will provide technical assistance to SFA to support the temporary accommodation as the SFA demonstrates they are unable to meet the requirement.

SFA Accommodation Plan SY 2025-2026

SFA Name:
Please select all categories of food that require an accommodation from the threshold requirement (i.e. exceeding 10 percent):

- Fruit
- Vegetables
- Fruit/Vegetable Juices
- Cereals

Other, please specify:
Description:

Please select all that apply for reasons for the accommodation from the threshold requirement (i.e. exceeding 10 percent):

- Timing of procurement cycle
- Student preference/anticipated participation impacts
- Items that help meet meal standards
- Items that facilitate meal service models (e.g. grab n' go, Breakfast in the Classroom)

Other, please describe:
Description:

Please briefly describe the anticipated timeline to make modifications to meet the Buy American requirements (this could include timing of calculating the baseline percentage of non-domestic food purchases (or include the baseline percentage if available), obtaining documentation, and balancing the accommodation and exception process with making menu changes).

Description:

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The is what the SFA Accommodation Plan form looks like. You will submit the form to childnutritionprograms@la.gov

The SFA Accommodation Plan SY 2025-2026 form has been added to the LDOE CNP website.

The State agency will review the completed requests for accommodation in a timely manner and may approve these requests. LDOE will notify the SFA in writing if approved.

State agency will provide technical assistance to SFA to support the temporary accommodation as the SFA demonstrates they are unable to meet the requirement.

Buy American Certification Form

DALLAS : PEACHES Offerings : VERY LIGHT.					
PEACHES Package: 25 lb cartons loose Variety: VARIOUS YELLOW FLESH VARIETIES					
Date	Low-High Price	Mostly Low-High Price	Origin	Origin District	Item Size
04/24/2020	25.00 - 26.00		CHILE		60s
PEACHES Package: cartons 1 layer tray pack Variety: VARIOUS YELLOW FLESH VARIETIES					
Date	Low-High Price	Mostly Low-High Price	Origin	Origin District	Item Size
04/24/2020	25.00 - 26.00		CHILE		30s

<https://www.ams.usda.gov/market-news>

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Now we are going to discuss the Buy American Certification form. This form is part of your solicitation that gets sent out to vendors. The SFA Director must also sign the Buy American Certification Form after researching all items the vendor is proposing to use that are non-domestic and determining that the product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of satisfactory quality or that the cost of the U.S. product is significantly higher than the non-domestic product and is approving the use of the non-domestic product. One way of researching is to use the Agricultural Marketing Service website. The website provides guidance to the SFA in determining if domestic products are available. The downside of using this website is that the information being provided includes only the information available for the particular day you search.

In the snapshot on this slide, we are looking to see if domestic peaches are available domestically. According to the chart, peaches are available in the Dallas Terminal Market only from Chile. No domestic peaches are available.

Many fresh items are seasonally available in the U.S. You can require the vendor to only use a non-domestic product only if it is out of season in the USA.

USDA Foods Available For School Year 2025-26



Food and Nutrition Service
U.S. DEPARTMENT OF AGRICULTURE

USDA Foods Available List for School Year 2025-2026 for Schools and Institutions



USDA Foods Description	WBS/CM #	PACK SIZE	USDA Foods Description	WBS/CM #	PACK SIZE	SUBGROUP
FRUITS			VEGETABLES			
Apples, Empire, Fresh	3000517	40 lb case	Beans, Green, No Salt Added, Canned	1000307	6.9/10 can	OTW
Apples, Fuji, Fresh	3000522	40 lb case	Beans, Green, No Salt Added, Frozen	1000351	30 lb case	OTW
Apples, Gala, Fresh	3000523	40 lb case	Beans, Green, No Salt Added, Frozen	1110504	3.2/2.5 lb bag	OTW
Apples, Honeycrisp, Fresh	3314895	40 lb case	Carrots, Chopped, No Salt Added, Canned	1000352	30 lb case	OTW
Apples, Red Delicious, Fresh	3000524	40 lb case	Carrots, Chopped, No Salt Added, Frozen	1110480	30 lb case	RD
Apple Slices, Diced, Canned, Cups, Frozen	3000790	96/4.5 oz cup	Carrots, Diced, No Salt Added, Canned	1110502	3.2/2.5 lb bag	RD
Apple Slices, Unsweetened, Canned	3000206	96/4.5 oz can	Carrots, Diced, No Salt Added, Frozen	1000353	30 lb case	RD
Apple Slices, Unsweetened, Frozen (IQF)	3000210	30 lb case	Carrots, Whole, No Salt Added, Canned (K)	1000313	6.9/10 can	ST
Apple Slices, Unsweetened, Frozen (IQF), Individual Portion	3314894	30 lb case	Carrots, Whole, No Salt Added, Canned (K)	1000314	6.9/10 can	ST
Apple Slices, Unsweetened, Cups, Shelf Stable	3310941	96/4.5 oz cup	Carrots, Whole, Ketchup, No Salt Added, Frozen	1110393	3.2/2.5 lb bag	ST
Apples, For Processing	3310145		Mixed Vegetables, No Salt Added, Frozen	111230	6.9/10 lb bag	OTW
Apples, Honeycrisp, Frozen	3000525	96/4.5 oz cup	Peas, Green, No Salt Added, Canned	1000354	30 lb case	OTW
Apricots, Diced, Extra Light Syrup, Canned	3002116	6.9/10 can	Peas, Green, No Salt Added, Frozen	1000350	30 lb case	ST
Blueberries, Wild, Unsweetened, Frozen	3002449	30 lb case	Potatoes, Chopped, No Salt Added, Canned, Frozen	1310763	3.2/2.5 lb bag	ST
Blueberries, Wild, Unsweetened, Frozen	3002450	30 lb case	Potatoes, Chopped, No Salt Added, Frozen	1310764	3.2/2.5 lb bag	OTW
Blueberries, Unsweetened, Frozen	3126224	30 lb case	Potatoes, Diced, No Salt Added, Frozen	1108844	6/5 lb bag	ST
Blueberries, Unsweetened, Frozen	3126225	30 lb case	Potatoes, Diced, No Salt Added, Frozen	1200357	6/5 lb bag	ST
Cherries, Tart, Diced, Individual Portion	3316423	250/3.5 oz in bag	Potatoes, Diced, Low-Sodium, Canned, Frozen (IQF)	1000358	6/5 lb bag	ST
Cherries, Tart, Diced, Unsweetened, Frozen (IQF)	3310872	3.2/2.5 lb bag	Potatoes, Whole, Low-Sodium, Frozen (IQF)	1000355	6/5 lb bag	ST
Cherries, Tart, Diced, Unsweetened, Frozen (IQF), Individual Portion	3310873	3.2/2.5 lb bag	Salad, Lettuce, Leaf, Canned	1000315	6.9/10 can	OTW
Mixed Berries (Blueberries, Strawberries), Cups, Frozen	3310819	96/4.5 oz cup	Salad, Lettuce, Leaf, Frozen	1310186	6/2/10 oz pouch	RD
Mixed Fruit (Apples, Cherries, Cranberries, Raspberries, Diced Mixed Fruits, Apples, Peaches, Pears, Grapes), Extra Light Syrup, Canned	3310143	5/5 lb bag	Salad, Lettuce, Leaf, Whole, Canned	1000316	6.9/10 can	OTW
Oranges, Fresh	3002813	34.39 lb case	Spaghetti Squash, Pouch	130177	6/5 lb oz pouch	RD
Peaches, Diced, Extra Light Syrup, Canned	3002120	6.9/10 can	Spinach, Chopped, No Salt Added, Frozen (IQF)	1310425	20 lb case	OTW
Peaches, Fresh	3002121	30 lb case	Spinach, Chopped, No Salt Added, Frozen (IQF)	1310426	20 lb case	OTW
Peaches, Sliced, Frozen	3002125	30 lb case	Sweet Potatoes, Chopped Cut Fresh, Low-Sodium, Frozen	1307231	6/5 lb bag	RD
Peaches, Sliced, Frozen	3003148	3.2/2.5 lb bag	Sweet Potatoes, Light Syrup, No Salt Added, Canned	1000317	6.9/10 can	OTW
Pears, Nectar, Fresh	3002126	3.2/2.5 lb bag	Tomato Paste, Canned	1000337	6.9/10 can	OTW
Pears, Nectar, Extra Light Syrup, Canned	3002127	6.9/10 can	Tomato Paste, For Processing	1000332	2850 lb boxes	OTW
Pears, Nectar, Extra Light Syrup, Canned	3002128	6.9/10 can	Tomato Paste, Low-Sodium, Canned	1000333	6.9/10 can	OTW
Pears, Nectar, Extra Light Syrup, Canned	3002129	6.9/10 can	Tomato Paste, Low-Sodium, Frozen	130187	6/5 lb oz pouch	RD
Pears, Nectar, Extra Light Syrup, Canned	3002130	6.9/10 can	Tomatoes, Diced, No Salt Added, Canned	1000329	6.9/10 can	RD
Strawberries, Mixed, Unsweetened, Frozen (IQF)	3310816	96/4.5 lb bag				
Strawberries, Mixed, Unsweetened, Frozen (IQF)	3310817	96/4.5 lb bag				
Strawberries, Whole, Unsweetened, Frozen (IQF)	3310818	96/4.5 lb bag				
Strawberries, Whole, Unsweetened, Frozen (IQF)	3310819	96/4.5 lb bag				

Note: USDA Foods entitlement may also be used to order a variety of fresh fruits and vegetables for weekly delivery through the USDA DOD Fresh Fruit and Vegetable Program. Contact your State Distributing Agency if you are interested in participating in this program.

KEY:
 OTW = Domestic vegetable subgroup
 RD = Red/orange vegetable subgroup
 ST = Starchy vegetable subgroup
 SV = Specialty vegetable subgroup
 Additional vegetables
 IQF = Individually Quick Frozen
 K = Kosher Certification Required
 * = Kosher Certification Required

USDA
Foods

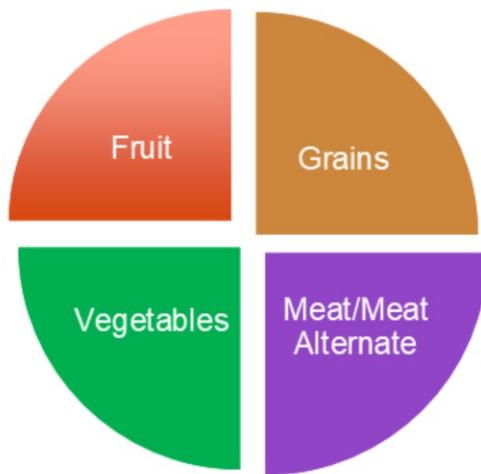


<https://www.fns.usda.gov/usda-fis/foods-available>

The USDA Foods Available List can also be used to assist in determining whether food items are available domestically because USDA purchases only domestically grown products.

<https://www.fns.usda.gov/usda-fis/foods-available>

Buy American Provision: Food Components



The creditable food component is the agricultural commodity. As you know there are 5 food components-Meat and Meat Alternates, Vegetables, Fruit, Grains, and Milk.

Foods from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are considered domestic

Activity Time



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Let's do an activity!

Is the Buy American Certification Form Required?

XYZ Elementary received submissions from an IFB solicitation. Two of the five vendors did not submit Buy American Certification Forms. Vendor One noted that all of their exceptions were listed on the FAR. Vendor Two noted that most of their exceptions are listed on the FAR with the exception of one. One of Vendor Two's exceptions was due to the cost of the item being more costly in the U.S. than nondomestic markets.

Are the vendors required to submit the Buy American Certification Form, or should both vendors be considered nonresponsive?



Is the Buy American Certification Form required?

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Are the vendors required to submit the Buy American Certification Form, or should both vendors be considered nonresponsive?

Is the Buy American Certification Form Required?

Yes and No.

Vendor One's exceptions were all listed on the FAR. According to 7 CFR 210.21(d)(5)(iii), SFAs must maintain documentation except when the items purchased are found on the FAR. Items must still be tracked, but do not require documentation.

However, Vendor Two has one exception that is not listed on the FAR and requires documentation.

Vendor Two must submit the Buy American Certification Form.



Yes and No.

Vendor One's exceptions were all listed on the FAR. According to 7 CFR 210.21(d)(5)(iii), SFAs must maintain documentation except when the items purchased are found on the FAR. Items must still be tracked, but do not require documentation. However, Vendor Two has one exception that is not listed on the FAR and requires documentation. Vendor Two must submit the Buy American Certification Form for that one exception.

Geographic Preference

SFAs may apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products.

This is an optional criterion available to SFAs.

7 CFR 210.21(g)

Using Federal Funds to Procure Local Foods Memorandum

<https://fns-prod.azureedge.us/sites/default/files/resource-files/SP11-CACFP09-SFSP05-2025os.pdf>

Geographic Preference Option QA Memo

<https://www.fns.usda.gov/f2s/geographic-preference-option-qa-memo>



7 CFR 210.21(g) applies to Geographic Preference

Geographic Preference – Local Agricultural Products

SFAs may apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products, including the use of locally grown, locally raised, or locally caught as procurement specifications or selection criteria for unprocessed or minimally processed food items.

The SFA has the discretion to determine the local area to which the geographic preference will be applied



In accordance with 7 CFR 210.21(g) A school food authority participating in the Child Nutrition Program may apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When utilizing the geographic preference to procure the products, the school food authority making the purchase has the discretion to determine the local area to which the geographic preference option will be applied.

2 CFR 200 doesn't allow geographic preference in the evaluation of bids or proposals, except for unprocessed local grown or locally raised agricultural products. There is no definition of "local". The SFA determines what will be considered local. The USDA example states that SFAs in a state with many ranches and a few fruit and vegetable farms may decide that local beef must come from within the state, while local fruits and vegetables must come from the state or neighboring states within a certain number of miles.

In addition, Louisiana Revised Statute 17:194.D waived the State Small Purchase Threshold when purchasing local agricultural products. All SFAs are allowed to utilize the federal simplified acquisition threshold of \$350,000, only when procuring local agricultural products. All other procurement must comply with 2 CFR 200.319(b).

Local agricultural products refer to meat, poultry, eggs, dairy, and seafood procured from local farmers, fishermen, or other producers that are unprocessed.

Be mindful that the increased small purchase threshold only applies to local agricultural products. If the SFA wants to combine procurement with canned goods, frozen foods, etc., the small purchase threshold is not waived for those procurements. In order to utilize the federal SAT, the solicitation must only include procurement of local agricultural products.

Definition of Unprocessed Locally Grown or Locally Raised Agricultural Products



Slicing



Dicing



Pasteurization

7 CFR 210.21(g)(2)



This provision only applies to those agricultural products that retain their inherent character.

7 CFR 210.21 provides specifics as to food handling and preservation techniques that do not change the character of a product.

Some examples are cooling, refrigerating, freezing, size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking or grindings; forming ground products into patties without any additives or fillers; drying/dehydration; washing, packaging, vacuum packing and bagging; butchering, cleaning, and pasteurization of milk.

Flavoring of milk is not included so Geographic Preference can not be used when awarding a bid for flavored milk.

PRODUCT DESCRIPTION SPECIFICATIONS



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Writing product specifications is both time-consuming and involved. Writing detailed specifications allows vendors to bid on like products and allows the SFA to receive the product they desire. There is some key information that should be included in your specifications.

Name of the Product

Be specific

Research the quality indicators for the product

Include “or equal” when applicable



The first step in writing product specifications is to name the product. Be specific to assist the vendor with understanding the product you want. Make sure you have researched quality indicators of the product. Include “or equal” or “or pre-approved equal” when applicable

You may also want to obtain samples and taste-test the product before adding it to your solicitation.

Description of the Product

Code Number

Pack Size

Case Pack and Weight

Minimum and Maximum Size and Pieces



In addition to the name of the product, include a code number if applicable, the pack size, the case pack and weight. How do you want the item packaged and how big are the cases. Include the maximum weight if desired. Some other descriptions might be that the product should be individually wrapped or there should be 72 to a case. To avoid injuries from lifting heavy items, you may want to state that a case should not exceed 20 pounds.

Include minimum and maximum size of the product. An example of this would be a minimum of 3.9 ounces and a maximum of 4.1 ounce. Be careful when giving minimum and maximum serving sizes. It can skew the portion size cost.

Description of the Product

Main Ingredient(s)

Other Product Ingredients

Prohibited Ingredients

Nutrition Standards



You may want to include the main ingredient or ingredients of a product. An example might be for a bean burrito where the main ingredients desired is pinto beans, black beans, or whole-grain tortilla.

The description could include other product ingredients desired.

Are there any prohibited ingredients? If so, include those. Some examples might be that the product can't contain MSG, pork, fish by-products, soy derivatives, or food dyes.

What are the nutritional standards for this product? Is there a minimum or maximum number of calories or sodium? Does the specification state added sugar limits?

Description of the Product

Meal Pattern Requirements/Child Nutrition Label

Unit on Which the Award is Made

Quality Indicators

Buy-American



Some additional descriptions might include that the product has a CN label or that the product must meet specific crediting requirements, such as "the product must equal 1.5 oz. equivalent for the Grain component".

How will the SFA determine which company is offering the best price for a product? How will the unit price be determined for an acceptable product? One might include a description such as by the case, by the serving size, or per pound.

What are some quality indicators that are needed. For example, Salad Dressing cannot be called mayonnaise, and a non-dairy frozen yogurt can not be called ice cream.

If the product is an agricultural product, the description should state that this product must meet USDA's Buy American Provision Requirements.

Detailed Product Description

Product	Pack Size	Specifications	Price Per	Estimated Quantity	Vendor Price	Vendor Total
Biscuits, Frozen, Whole Grain	220/case	Biscuit, Whole Grain, Preformed, Frozen. Made from whole grain flour. Must be whole grain rich. Biscuit not to be split. Each biscuit must be no less than 2.2 ounces in weight. Per serving there shall be no more than 200 calories, 10 grams fat and 300 mg sodium. Each biscuit must provide 2 oz. equivalent grain for USDA Child Nutrition Program. Must meet USDA's Buy American Provision Requirements. Packed approximately 220/2.2-2.5 oz./case.	case	200 cases	\$65.05	\$13,010



This is an example of a detailed product description. The SFA wants an frozen, whole grain, biscuit. The product must be made with whole grain flour and must be whole grain rich. The biscuit must be at least 2.2 oz. by weight. Each serving must be no more than 200 calories, 10 grams of fat and 300 mg of sodium. Each biscuit must credit as 2 oz. equivalents of grain for the Child Nutrition Program. Since flour is an agricultural product, the biscuit must meet USDA's "Buy American Provision Requirements". The case should be packed with 220/2.2-2.5oz biscuits per case.

Electronic Bidding

[L.R.S. 38:2212.1](#) requires that all schools post their bid to a secure, interactive electronic bid platform.

Posting the solicitation documents on the school website will not satisfy this requirement.

Offering electronic bidding is a state requirement and any solicitations conducted without offering electronic bidding will be considered noncompliant procurement and will result in a finding during procurement reviews.

Any special condition or requirement for the submission must be specified in the advertisement for bids, including in the solicitation documents posted for use on the electronic bidding platform.



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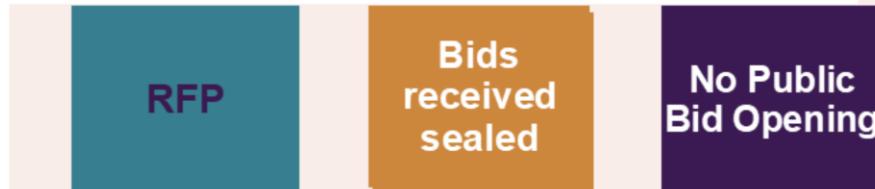
Fixed Price Contracts



When using a fixed price contract, the bids are received sealed and held until the date and time of the bid opening. The bids are opened during the public bid opening and are read aloud to all participants.

A firm fixed price contract award is made in writing to the lowest responsive and responsible bidder. Where specified in bid documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.

Competitive Proposal (RFP) Contracts



For competitive proposals or RFPs, you must first identify all evaluation factors and their relative importance in the solicitation. Meaning how will each factor be scored and what specifically warrants one score from another. Evaluators must be knowledgeable in the areas being reviewed as well as being knowledgeable in the scoring process. Again the SFA must provide detailed, documented justification for scoring. The State agency or USDA should be able to review each of the bid documents and come up with the same score as the SFA. If that can't be done, the SFA is not being specific enough with scoring criteria.

Limitations on consultants, agents or contractors

L.R.S. 38:2212.7 and 2 CFR 200.319(b)

Consultants, contractors or agents who are hired to draft specifications are excluded from bidding and competing on those procurements



This is very important to note. L.R.S. 38:2212.7 and 2 CFR 200.319(b) both outline a consultant, agent or contractor who helps the SFA for the purposes of developing bidding documents, requests for proposals, or any other type of solicitation related to a specific procurement shall be prohibited from bidding, proposing, or otherwise competing for award of that procurement.

Both regulations for Federal and State are hyperlinked on the slide.

<https://www.legis.la.gov/Legis/Law.aspx?d=631349>

L.R.S. 38:2212.7(A) notes if the consultant was hired for the purpose of developing solicitation documents for procuring professional services, they are prohibited from competing for said contract. Further, the consultant cannot be a hired subcontractor for the company awarded the consulting contract.

2 CFR 200.319(b) states that contractors that develop or draft specifications, requirements, statements of work, or invitations for bids must be excluded from competing on those procurements.

Further, the SFA has to ensure that when utilizing another organization, like a FSCM for instance, the assigned duties for the consultant and FSCM do not overlap.

Overlapping duties are considered double dipping and may result in unallowable costs for certain redundant functions between the two vendors. Please be sure to read over each contract and ensure the SFA Legal Department approves the execution of the contract prior to submitting contracts to the State agency for review and approval.

Award and Execute Contract

Once evaluated, a contract may be awarded and the contract executed.

***Remember, contracts for FSMCs require prior approval by the State agency before the contract can be awarded.



Once evaluated, a contract may be awarded and the contract executed. This may be an “official” signing with a contract meeting that includes providing clarification and expectations to the prospective vendor as well as to answer the vendors questions.

Remember, contracts for FSMCs require prior approval by the State agency before executing the contract.

Rejecting Bids

The SFA may reject any and all bids for just cause

Maintain documentation of repeated failures despite repeated communication with the vendor.

R.S. 38:2214(B)



The SFA may reject any and all bids for just cause L.R.S. 38:2214(B)

Maintain documentation of repeated failure of the vendor despite repeated communication with the vendor.

Maintaining the documentation is your justification as to why you will not award to that particular vendor even if they came in at the lower price. This can help in a bid dispute if the vendor challenges your SFA awarding to another vendor

Protests from a Vendor

1. The name, address, and telephone number of the protestor
2. The signature of the protestor or an authorized representative of the protestor
3. Identification of the purchasing agency and the solicitation or contract number
4. A detailed statement of the legal and factual grounds of the protest including copies of relevant documents
5. The form of relief requested
6. The protest must be filed within 10 days of receiving the award notice



Language has been added to the RFP or IFB/Contract to provide a vendor with instructions on how a protest is to be conducted.

The Sponsor shall indicate the person the protest is to be sent to, along with their title and mailing address. The protest must be filed within 10 days after receiving the award notice. The protest must include the name, address, and telephone number of the protestor; the signature of the protestor or authorized representative, identification of the purchasing agency and the solicitation or contract number, a detailed statement of the legal and factual grounds of the protest. Copies of relevant documents must also be included. And finally, the vendor representative must provide the form of relief requested.

Protests from a Vendor

The Sponsor must:

- Provide a written response within 30 days of receipt of the protest
- Provide a written response to the protest will be made within 30 days from receipt of the protest
- Pending final determination of a protest or appeal, the validity of a contract awarded and accepted in good faith shall not be affected by the fact that a protest or appeal has been filed
- Notify the State agency of the protest or appeal



The Sponsor must:

Provide a written response within 30 days of receipt of the protest.

A written response to the protest must be made within 30 days from receipt of the protest. Pending the results of the protest or appeal, the contract that has been awarded shall not be affected by the protest or appeal. Pending final determination of a protest or appeal, the validity of a contract awarded and accepted in good faith shall not be affected by the fact that a protest or appeal has been filed.

The Sponsor shall in all instances disclose information regarding protests to the State agency.

Managing The Contract

Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts

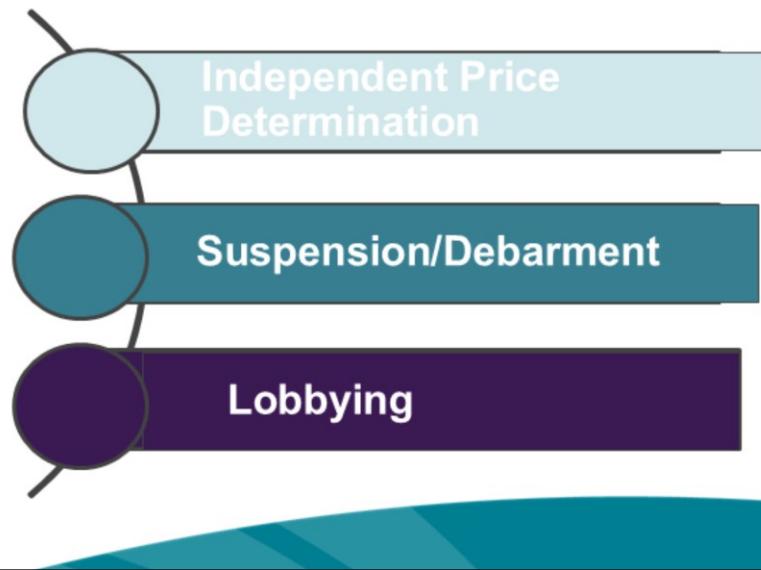
[2 CFR Part 200.318\(b\)](#)



Managing contracts is the real work. The work is not complete just because the solicitation, evaluation and contract award has occurred. In accordance with 2 CFR Part 200.318(b), the SFA must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts

[https://www.ecfr.gov/current/title-2/part-200/section-200.318#p-200.318\(b\)](https://www.ecfr.gov/current/title-2/part-200/section-200.318#p-200.318(b))

Managing The Contract



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How do you manage the contract:

One of the first functions in managing the contract is determining that you have received the required certificates-The Independent Price Determination Certificate, the Suspension and Debarment Certification Form, and the Lobbying Certification Form.

Collecting of all forms from the vendor and keeping the signed copy on file.

Managing The Contract



Some examples of managing the contract is ensuring that the solicitation and contract match. The SFA should make sure that the description and price of products and/or services match the item description and price in the bid document.

There should be written communication with the vendor when products are delivered that do not match the bid requirements.

If the SFA contracts with an FSMC and participation in an advisory committee is required, is a representative from the FSMC participating and are they following through with requests from the SFA, students, parents, and other stakeholders.

Has the Buy American documentation been provided by the vendor and is the SFA receiving the domestic products that were bid by the vendor. Is the company requesting substitutions for items if US products are not available.

Is the company requesting substitutions of other products before sending them and are they providing those products at the bid price.

Notice that this is a continual cycle. The cycle doesn't end until the contract ends.

Managing Processing Contracts

- **Reconciliation**
- **Correct price on invoice**
- **Monitoring the processor's performance**



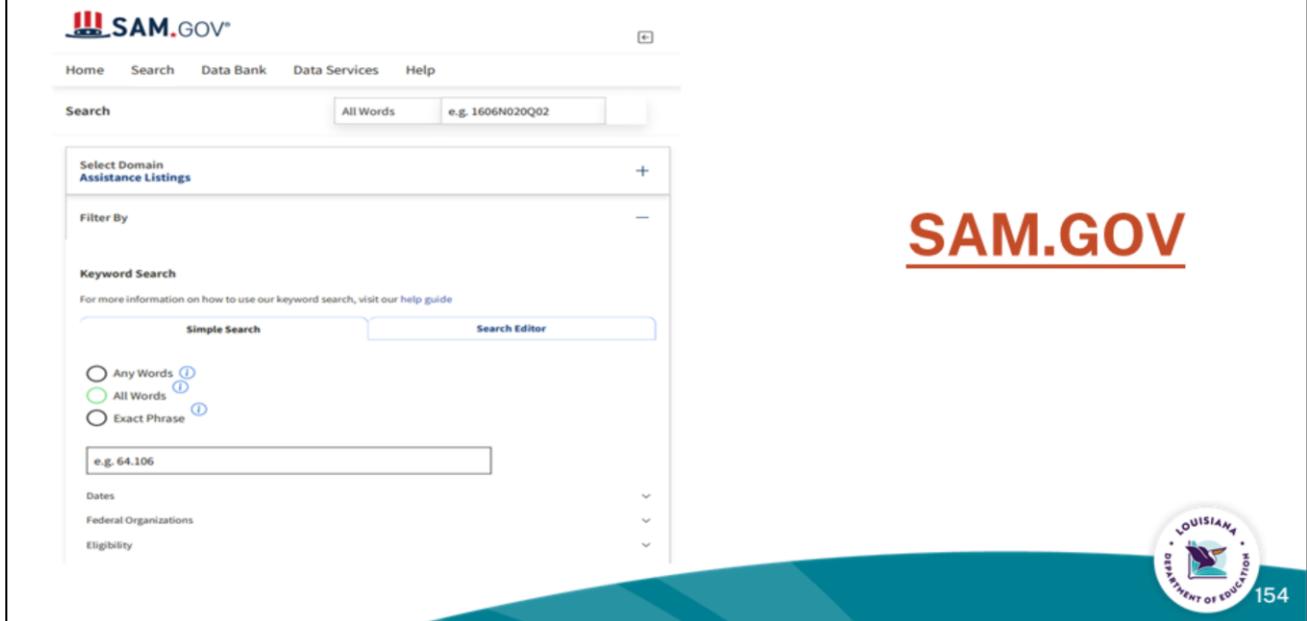
When managing USDA Foods processing contracts, the requirements include:

Reconciliation of amounts of USDA products sent to the processor and the amount of product received by the SFA from the processor

The Bid price must be correctly reflected on each delivery ticket/invoice

The SFA must continually monitor the processor's performance

System For Award Management



SAM.GOV

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Did you check the SAM.GOV website to be sure that the vendor has not been disbarred? The company must be "Active" in SAM.

Cancellation/Disqualification

Notification/Documentation

Breach of Contract

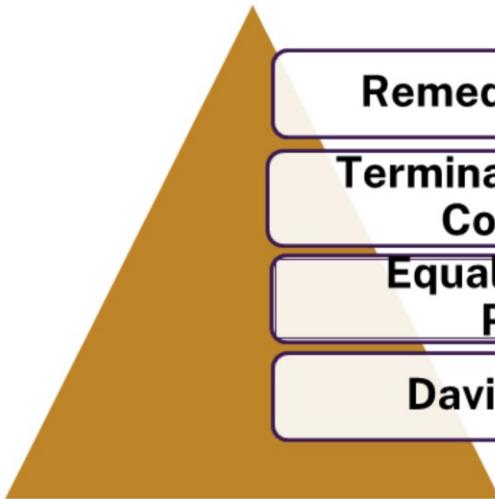
Cancellation Notice



Listed on the slide are the steps that should be taken when a vendor repeatedly fails to deliver according to the contract.

Part of good contract management is identifying areas of deficiency that would lead to a vendor's bid rejection. Example: deliveries are always outside of business hours, produce arrives bruised or rotten, or substitutions never contain CN labels, as specified in the contract. SFAs should document these incidents as part of their monitoring efforts. The documentation gives the SFA written justification to reject a bid even when the bid price is the lowest. The documentation also protects the SFA if a bid is protested. Once a breach of contract is documented and the SFA has been given an opportunity to correct the issues, the SFA may send a cancellation notice to the vendor in accordance with contract requirements.

Remember, a bidder disqualified for lack of responsibility must be notified in writing and given an opportunity for a hearing. If the SFA is rejecting a bid because of unresponsiveness, the bidder must be informed of why the bid was rejected.



Required Provisions Appendix II 2 CFR 200

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All formal bids must include these provisions from Appendix II of 2 CFR 200.

The bid must include the Administrative, contractual, or legal remedies the SFA plans to take if the vendor breaches the contract.

It must include language concerning termination for cause and convenience in any contract that exceeds \$10,000. The sample procurement plan has some sample language that can be used.

There are steps the SFA should follow to ensure maximum protection, in the event the SFA needs to terminate a contract for either cause or convenience.

1. The vendor should be notified by telephone and email any time the vendor fails to deliver in accordance with the signed contract. The notification should indicate how the problem needs to be corrected.
2. The SFA must maintain records of the dates, times, and information discussed.
3. If the problem is not resolved, the SFA must give the vendor written notification of the problem, indicating that immediate correction is expected and that failure to do so will be considered a breach of contract and could result in the cancellation of the contract.
4. If cancellation of the contract becomes necessary, the SFA will provide written notice of the proposed action to the vendor. Reasons for the proposed action will be included.
5. If the contract is not canceled, the SFA may disqualify the vendor from future bidding due to poor performance.

The Equal Employment Opportunity Provision must be included in the bid.

The Davis-Bacon Act is only applicable if the contract is for construction.

Contract Work Hours

Rights to Inventions

Clean Air Act and Federal Water Pollution Control

Byrd Anti-Lobbying Amendment/Debarment and Suspension

Required Provisions Appendix II CFR 200

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Appendix II to 2 CFR 200 also requires the following provisions be included in your contracts :

1. Contract Work Hours and Safety Standards- if the contract is above \$100,000
2. Rights to Inventions
3. Clean Air Act and Federal Water Pollution Control Act- if the contract is above \$150,000
4. Debarment and Suspension
5. Byrd Anti-Lobbying Amendment and Certificate if the contract is more than \$100,000



Procurement of Recovered Materials



Minority, Women's, Labor Surplus



Buy American Provision

Required Provisions Appendix II CFR 200

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In addition, Appendix II to 2 CFR 200 requires the following provisions:

1. Procurement of Recovered Materials
2. Minority, Women's, Labor Surplus
3. Buy American Provision

Required Civil Rights Laws

Civil Rights
Act

Education
Amendment

Rehabilitation
Act

Age
Discrimination
Act

Americans
Disability Act

Civil Rights
Compliance



All bids/proposals must include an assurance of Civil Rights compliance. The assurance must include Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); Age Discrimination Act of 1975; Americans with Disabilities Act; and all provisions required by the implementing regulations of the Department of Agriculture.

Administrative Review Findings: Commodity Storage and Delivery

- Commodity Storage and Delivery requires proper procurement
- Complete a cost/price analysis to determine the value of the proposed contract
- Determine the procurement method to use
- Follow the procurement requirements for the method used
- Procurement requirements are found in the Procurement Plan



Administrative Review Findings: Commodity Storage and Delivery

- **Commodity Storage and Delivery requires proper procurement**
- **Complete a cost/price analysis to determine the value of the proposed contract**
- **Determine the procurement method to use**
- **Follow the procurement requirements for the method used**
- **Procurement requirements are found in the Procurement Plan**

Administrative Review Findings: Reconciliation of Commodities when using an FSMC

- The FSMC must credit the SFA for the value of all donated foods received for use in meal service in a school year or fiscal year.
- Crediting by the FSMC must provide clear documentation of the value received from donated foods
- The SFA must reconcile the credits received from the FSMC to the value of all donated foods received



Administrative Review Findings: Reconciliation of Commodities when using an FSMC

- **The FSMC must credit the SFA for the value of all donated foods received for use in meal service in a school year or fiscal year.**
- **Crediting by the FSMC must provide clear documentation of the value received from donated foods**
- **The SFA must reconcile the credits received from the FSMC to the value of all donated foods received**

Additional Information



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Now, we will discuss some changes to the Louisiana Revised Statutes that affect child nutrition programs.

BY SENATORS MCMATH, BOUDREAU, CLOUD, CONNICK, DUPLESSIS, EDMONDS, FESI, HENRY, HENSGEINS, KLEINPETER, LAMBERT, MIGUEZ, MIZELL, MYERS, REESE, SELDERS, STINE AND TALBOT AND REPRESENTATIVES ADAMS, AMEDEE, BAMBURG, BAYHAM, BEAULIEU, BERAUT, BILLINGS, BUTLER, CARRIER, CARVER, CHENEVERT, COATES, COX, CREWS, DEVILLIER, DICKERSON, DOMANGUE, ECHOLS, EDMONSTON, EGAN, EMERSON, FIRMENT, FISHER, GALLE, HILFERTY, HORTON, ILLG, JACKSON, MIKE JOHNSON, KERNER, MCMAHEN, MCMAKIN, MELERINE, MENA, OWEN, ROMERO, SCHAMERHORN, SCHLEGEL, SPELL, STAGNI, THOMPSON, VENTRELLA, VILLIO, WILDER AND WYBLE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

AN ACT

To amend and reenact R.S. 37:1270(A)(8) and to enact R.S. 17:197.2, R.S. 37:920(G), and

Part I-B of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:661 and 662, relative to nutrition; to provide for serving certain foods in schools; to provide for continuing education for certain healthcare providers; to provide for disclosure of certain ingredients by manufacturers; to provide for disclosure of seed oil use by food establishments; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:197.2 is hereby enacted to read as follows:

§197.2. Prohibited ingredients; local production preference

(1) No public school governing authority shall serve any food or beverage containing a prohibited ingredient to students in schools under its jurisdiction.

(2) No nonpublic school that receives state funds shall serve any food or beverage containing a prohibited ingredient to students.

Act No. 463 was passed during the 2025 Legislative Session.

It enacts L.R.S. 17:197.2 regarding prohibited ingredients in school food service.



Before we close, we would like to bring some new rules, regulations, and statutes to your attention.

During the 2025 Regular Legislative Session, Senate Bill No. 14 was passed and became Act No. 463. Why is this important for procurement? It is important because food or food products are at the center of school food service procurement.

Let's look at the changes a little further.

Prohibited Ingredients in School Food Service

Act Number 463 enacts Louisiana Revised Statute 17:197.2 which states:

- A.
 - (1) No public school governing authority shall serve any food or beverage containing a prohibited ingredient to students in schools under its jurisdiction.
 - (2) No nonpublic school that receives state funds shall serve any food or beverage containing a prohibited ingredient to students in schools under its jurisdiction.
 - (3) The provisions of this Subsection shall apply to breakfasts and lunches served to a student on a school campus during regular school hours and to any food or beverages served by the school to a student during aftercare.
 - (4) The provisions of this Section shall not apply to any food or beverage sold in concession stands or vending machines.

<https://legis.la.gov/legis/ViewDocument.aspx?d=1426851>



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- Section 1 of Act number 463 applies to all LEAs. (Public, private, and charter schools.)
- L.R.S. 17:197.2 applies to breakfast, lunch, afterschool snacks, and supper served to students during school hours and during aftercare.
- The Act states that no public or nonpublic school shall serve any food or beverage containing a prohibited ingredient to students in schools under its jurisdiction.
- The hyperlink to view Act number 463 is at the bottom of the slide. Section 1 of Act Number 463 will take effect school year 2028-2029.

Act Number 463 - Prohibited Ingredients

B. For purposes of this Section, "prohibited ingredient" means any of the following:

- (1) Blue dye 1 (CAS 3844-45-9)
- (2) Blue dye 2 (CAS 860-22-0).
- (3) Green dye 3 (CAS 2353-45-9).
- (4) Red dye 3 (CAS 16423-68-0).
- (5) Red dye 40 (CAS 25956-17-6).
- (6) Yellow dye 5 (CAS 1934-21-0).
- (7) Yellow dye 6 (CAS 2783-94-0).
- (8) Azodicarbonamide.
- (9) Butylated hydroxyanisole (BHA).
- (10) Butylated hydroxytoluene (BHT).
- (11) Potassium bromate.
- (12) Propylparaben.
- (13) Acesulfame potassium.
- (14) Aspartame.
- (15) Sucralose.



This slide lists the prohibited ingredients in Act 463.

Again, this legislation goes into effect SY 28-29.

Disclosure of Harmful Ingredients

Act Number 463 enacts Louisiana Revised Statutes 40:661 and 662 which state:

- 40:661.A – Names the artificial colors, additives, or banned chemicals.
- B.
 - (1) – The product label shall include a QR code, with a statement adjacent to the code that informs the consumer that additional ingredient information can be accessed by scanning the code.
 - B.(2) – The QR code shall link to a web page that is under the control of the manufacturer.
 - B.(3) – The web page shall state: “NOTICE: This product contains “insert ingredient here”. For more information about this ingredient, including FDA approvals, click [HERE](#).”
 - B.(4) – The disclaimer shall link to the U.S. FDA’s web page regarding food chemical safety.
- C.
 - (1) The provisions of this section shall only apply to food or beverages intended for human consumption.

<https://legis.la.gov/legis/ViewDocument.aspx?d=1426851>



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- Section 3 of Act Number 463 relates to the disclosure of harmful ingredients and the way those ingredients must be labeled. This portion of the Act will become effective January 1, 2028. CNP Directors are advised to review product labels of applicable foods to ensure compliance with this requirement.
- All harmful ingredients should have product labels with QR codes, as mentioned in the statute. CNP Directors are advised to familiarize themselves with the difference between the allowable and unallowable harmful ingredients in the school food service program.

Noncompetitive Procurement

- 2 CFR 200.320(c) states that there are specific circumstances in which noncompetitive procurement may be utilized.
 - (1) The aggregate amount of a transaction does not exceed the micro-purchase threshold.
 - (2) Procurement can only be fulfilled by a single source (Sole Source Procurement).
 - (3) Public exigency or emergency does not lend itself to competitive solicitation.
 - (4) The sponsor requests noncompetitive procurement in writing and receives written State agency approval.
 - (5) After soliciting several sources, competition is determined inadequate.

Complete the Noncompetitive Procurement Request Form, and receive State agency approval prior to any noncompetitive procurement, except micro-purchases.

Memo SFS-25-061



Noncompetitive procurement has a foothold in informal procurement. Micro-purchasing is a form of noncompetitive procurement.

2 CFR 200.320(c)

(1) states that micro-purchases are a form of noncompetitive procurement.

(2) refers to Sole Source Procurement, that often falls between the micro-purchase and small purchase thresholds. Software updates, renewals, or maintenance fall under the sole source umbrella. The original software company is usually the only vendor who can update/maintain or renew the software.

(3) refers to emergency situations. If the SFA has an emergency, call the State agency to let them know that a noncompetitive procurement approval must be requested and State agency staff will inform you of next steps. Even though the situation may be emergent, the Noncompetitive Procurement Request Form still needs to be completed and submitted.

(4) refers to the SFA wanting to work with a specific vendor and forego competitive procurement. State agency approval is required every time. The Noncompetitive Procurement Request Form must be submitted with sufficient justification. Be aware, requests will not be approved if the SFA's only justification is that they do not want to go through the competitive procurement process. The justification has to be overwhelming for this type of procurement request to be approved.

(5) refers to a situation where you have requested quotes and no vendor met all the specifications required in the solicitation. For instance, you requested quotes. You received the required three quotes. However, no vendor was able to meet the required delivery schedule. In this case, you have solicited several sources and the competition was inadequate, as no vendor was fully responsive. The SFA would submit a noncompetitive procurement request form to procure necessary items.

Please be sure that you understand the noncompetitive procurement policies. The Noncompetitive Procurement Request Form can be found on the CNP website. Follow the instructions listed in the form and submit the form and all required documentation to the childnutritionprograms@la.gov

Noncompetitive Procurement Request Form



Noncompetitive Procurement Request Form

Louisiana Department of Education (LDOE), Division of Nutrition Support (DNS) requires sponsors to receive written approval prior to any noncompetitive procurement. The purpose of this form is to request State Agency approval for noncompetitive procurement. The form must be completed and submitted prior to executing noncompetitive procurement. Prior approval is required to comply with state and federal regulations and to utilize Child Nutrition Program funding to pay for said procurement. Email the completed, signed form to childnutritionprograms@la.gov.

Definitions:

- A. Noncompetitive Procurement: An umbrella term meaning procurement where competitive bidding is not utilized. Sole Source and Emergency Procurement are included under the noncompetitive umbrella. All noncompetitive procurement must comply with [2 CFR 200.318; 322](#).
 - i. [2 CFR 200.330\(c\)](#): This method may be utilized under specific circumstances. One of the following circumstances must occur for noncompetitive use:
 - ii. The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold;
 - iii. The procurement transaction can only be fulfilled by a single source;
 - iv. The public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;
 - v. The recipient or subrecipient requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or
 - v. After soliciting several sources, competition is determined inadequate.
- B. Sole Source Procurement: A specific type of noncompetitive procurement. The buyer determines only one supplier is able to fulfill all the requirements of the contract due to proprietary information, subject matter expertise, or other factors.
- C. Emergency Procurement: A specific type of noncompetitive procurement. Circumstances that do not allow time for competitive processes.
- D. Inadequate Competition: A specific type of noncompetitive procurement. All competitive procedures were completed. However, the results were inadequate. (e.g., Buyer received no responses or only one response.)

Sponsor Name: _____

Type of Noncompetitive Procurement:

Describe the proposed noncompetitive procurement, in detail. What is the product/service and why is this the only product/service that meets the sponsor's needs?

Provide an explanation and documented proof why the only option for this procurement is noncompetitive procurement. (Attach all supporting documentation.)

Did the sponsor use the State Contract, as one source, during solicitation?

If prior approval is required for services or updates to existing equipment/software, provide documentation the original purchase complied with competitive procurement. (Attach all supporting documentation)

Provide the cost/price analysis conducted in relation to this procurement.

Certification:

I hereby certify the information provided is correct, error free, and supports the submitted request to the best of my knowledge.

I hereby certify that I am an Authorized Representative of the sponsor and am not a Consultant or Food Service Management Company employee.

Name of Authorized Representative _____

Title of Authorized Representative _____

Here is a snippet of the Noncompetitive Procurement Request Form. The form must be completed and submitted prior to executing noncompetitive procurement. Prior approval is required to comply with state and federal regulations and to utilize Child Nutrition Program funding to pay for said procurement. Email the completed, signed form to childnutritionprograms@la.gov. Make sure to attach all supporting documentation when submitting.

Piggybacking

Contract must state that piggybacking is allowed

Must state number of SFAs or dollar value

Required Documentation

[Memo SFS-18-79](#)

[LLA Public Bid Law Q & A](#)



Piggybacking is when one SFA solicits and lets a contract for materials and supplies with a provision that allows other SFAs to utilize the contract.

If the SFA plans to allow piggybacking the original solicitation and contract must state that piggybacking is allowed. The original contract must indicate either how many other SFAs are allowed to piggyback or a dollar value that will be allowed.

The piggybacking SFA must have all of the required documentation (Refer to Memo SFS-18-79).

A link has also been provided for the Louisiana Legislative Auditor's Public Bid Law Question and Answer Document. Pay special attention to Questions 61 and 62 as they relate to the explanation of piggybacking, in accordance with Louisiana Public Bid Law.

Although state statutes are important, the SFA must be mindful that state statutes do not conflict with federal regulations. Be mindful that when utilizing CNP federal funds, federal regulations take precedence over any state statute.

Piggybacking

- Original bid was compliant with State requirements
- Does not exceed 2 times the bid amount
- Does not create a material change (does not exceed the Small Purchase Threshold)
- A cost/price analysis must be conducted

LLA Public Bid Law Q & A



In accordance with L.R.S. 38:321.1, the SFA must first ensure that the contract accepts piggybacking and is within one year of the bid opening. In addition, the SFA must ensure:

- (1) The contract was bid in compliance with R.S. 38:2211 et seq.*
- (2) The total purchases on the contract do not exceed two times what was purchased by the political subdivision bidding the contract.

- a. *This could conflict with the material change provision, so the SFA must determine which is stricter. Remember that a material change means that the piggybacking agency's purchases cannot exceed the small purchase threshold amount.*
- a. *The piggybacking SFA must do a cost/price analysis before making the decision to piggyback off of an existing contract to determine if the contract prices are reasonable.*

- 3) The written consent of the political subdivision which bid the contract is obtained, as well as the contract number, and if applicable, the resolution accepting the contract.
- 4) The vendor agrees to the additional purchase.
- 5) The vendor, product, materials, supplies, vehicles, or equipment are identical to those specified in the existing public contract of the other political subdivision, and the price is the same as the original contract price.

*The State, municipality, parish or other political subdivision of the state may rely on the certificate of the political subdivision that the contract was bid in compliance with State law.

Equipment and Other Capital Expenditures

2 CFR 200.439(b)

- Capital expenditures for general purpose equipment, buildings, and land are allowable as direct costs, but only with prior written State Agency approval.
- Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$10,000 or more have the prior written approval of the State Agency.
- Capital expenditures for improvements to land, buildings, or equipment that materially increase their value or useful life are allowable as a direct cost, but only with written State Agency approval.
- When approved as a direct cost in accordance with paragraphs (b)(1) through (3), capital expenditures must be charged in the period in which the expenditure is incurred or as otherwise determined appropriate and negotiated with the Federal agency.
- The SFA may claim the unamortized portion of any equipment written off as a result of a change in capitalization levels by continuing to claim the otherwise allowable depreciation on the equipment or by amortizing the amount to be written off over a period of years negotiated with the cognizant agency for indirect cost.
- Cost of equipment disposal. If the Federal agency instructs the sponsor to otherwise dispose of or transfer the equipment, the costs of disposal or transfer are allowable.
- Equipment and other capital expenditures are unallowable as indirect costs.



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- SFAs have expressed some confusion regarding when to submit equipment preapproval requests. The State Agency would like to take this opportunity to clear up some of the confusion.
- According to 2 CFR 200.439(b), there are several times noted in the regulations that require written State Agency approval. <https://www.ecfr.gov/current/title-2/section-200.439>
 - First, Capital expenditures. They are allowable as a direct cost for general purpose equipment, buildings and/or land. State Agency written approval must be received prior to procurement.
 - Equipment acquisitions and other capital expenditures of \$10,000 or more per item, (up from the previous \$5,000) require SFAs to obtain prior written approval from State Agency before incurring any associated costs.
 - USDA Memo SP39:2016 allows states the flexibility to develop an equipment preapproved list and criteria for capital assets typically purchased by SFAs. Louisiana has the list available on the CNP Website for SFAs to review. Please review the State Agency Preapproved Equipment List prior to requesting approval for equipment and other capital expenditures.
 - Please be advised that even if a SFA has self-certified to the higher \$30,000 threshold, if an equipment acquisition or other capital expenditure exceeds the \$10,000 threshold and is not listed on the preapproved list, the SFA must complete the Equipment Purchase/Capital Expenditure Pre-Approval Request Form prior to procurement.
 - Expenditures and improvements to land, buildings, or equipment that materially increase the value or useful life may be allowable as a direct cost but must be approved by the State Agency first.
 - Capital expenditures must be charged in the period in which the expenditure is incurred or as otherwise determined appropriate.
 - The SFA may claim the unamortized portion of any equipment written off as a result of a change in amortizing the amount to be written off over a period of years negotiated with the cognizant agency for indirect cost.
 - If instructed to dispose of or transfer , the SFA can claim equipment disposal as an allowable cost.
 - Equipment and other capital expenditures are unallowable as indirect costs.



Louisiana Pre-Approved Equipment

STATE AGENCY PRE-APPROVED EQUIPMENT (Revised 1/25/2024)

Technology/Hardware/Software	Food Serving Equipment
Software/Programs for Management (Inventory/Point of Service/Benefit Issuance)	Sneeze Guard
Cashier Station/Cash Register	Salad Bar/Free-Standing or Self-Serve
Point of Sale Equipment	Serving Line: Hot/Cold/Stationary/Mobile
Refrigerator/Freezer Temperature Monitoring System	Serving Counter: Stationary/Mobile
Cooking Equipment	Vending Machine (Used for Reimbursable Meals)
Commercial Range	Storage and Transport
Oven/Combi Oven	Freezer: Reach-In, Chest
Oven-Rethermalization and Holding	Refrigerator/Cooler: Reach-in/Under counter/Mobile
Pizza Oven	Cooler: Beverage/Milk/Merchandiser/Display Case
Tilting Skillet (Braising)	Cart: Hot/Cold Mobile
Kettle	Cabinet: Hot/Cold Holding; Mobile/Transport
Steamer	Storage Racks/Shelves for dry and refrigeration
Broiler/Salamander Grill/Griddle	
Food Preparation	Dishwashing/Sanitization/Cleaning
Hood/Vent (Exhaust Hood, Systems)	In-Sink Food Disposal System (Garbage Disposal)
Hood Fire Suppression System	Dishwashing Machine
Ice Machine for kitchen only	Booster Heater for kitchen
Blast or Tumble Chiller	Handwashing Sink
Food Processor	3 Compartment Sink
Chopper/Grinder	
Slicer	
Miner	
Blender	
Prep Sink	
Holding/Proofing Cabinet	
Processing/Packaging Machines	
Work/Prep Tables	

*The purchase of any of the items above must be for Child Nutrition Program use only.

LA Equipment Pre-Approval Request Form

Louisiana Department of Education, Division of Nutrition Support

School Food Service Equipment Purchase/Capital Expenditure Pre-Approval Request Form

Equipment acquisitions of \$10,000 or more per item, that are not on the Louisiana pre-approved equipment list, require School Food Authorities (SFAs) to obtain prior written approval from the State agency before incurring any associated cost (2 CFR 200.430). To request prior written approval, complete the following information for submission to the Louisiana Department of Education, Division of Nutrition Support. Sign and email this completed form to ChildNutritionPrograms@LA.GOV. The SFA will be notified in writing of the State Agency decision.

School Food Authority: _____ Telephone # _____
Address: _____ FAX #: _____
Email: _____

Equipment Description: _____ Estimated Per Unit Cost: _____ Quantity: _____

School / other site where equipment will be located:

Site Name: _____ Address: _____

Is the equipment requested above replacement equipment? YES NO
If no, explain the purpose of the new equipment: _____

Provide a justification of why this equipment cost is reasonable, necessary and allocable for the operation of School Food Service: _____

I HEREBY CERTIFY THAT:

- * This equipment will be used only for purpose of operation of the Child Nutrition Program.
- * Funds currently available in the Child Nutrition Program account in the amount of \$ _____ as of _____.
- * The item(s) described above meets(s) the definition of equipment in 2 CFR 200.313.
- * The SFA will fulfill the conditions for use and disposal of the property in accordance with 2 CFR 200.313.
- * Procurement will be in accordance with 2 CFR 200 Subpart D will be followed, including but not limited to ensuring:
 - o Free and Open Competition
 - o Compliance with written standards of conduct for procurement
 - o Proper procurement procedures for informal and formal purchases are followed
- * All supporting documentation will be maintained on file for review in accordance with program regulations, including documentation of the procurement process, written approval of the purchases) and receipt(s) for the equipment purchased.
- * All information provided in this request for use of the non-profit School Food Service (SFS) account in the purchase of equipment is true and accurate to the best of my knowledge.
- * I understand that it is the institutions/supplier's responsibility to comply with all applicable Federal, State and local laws, regulations and policies regarding procurement, inventory, and disposal of items purchased with United States Department of Agriculture, Child Nutrition Program funds.
- * I certify that if awarded, I will inform the State agency with documentation demonstrating that equipment was purchased with SFS funds in accordance with regulations, upon request.

Signature of Authorized Representative: _____ Date: _____

STATE USE ONLY

APPROVAL: EFFECTIVE DATE

FULL PARTIAL _____ % DENIED

APPROVED BY: _____ DATE: _____

Director, Division of Nutrition Support



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Eat Real

Virtual



Share Tables, Team Nutrition & LA Fit Kids Website



School Wellness Policies & School Health Advisory Councils



QUESTIONS

Contact the LDOE Division of Nutrition Support
(225) 342-9661
ChildNutritionPrograms@LA.GOV

